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ABSTRACT

Part 2 of the "First Annual Report of the National Advisory Council on Indian Education (NACIE) to the United States Congress presents the council's advice, opinions, and comments on the recommendations of two recent and bold federal reports on Indian education--"TIndian Education: A National Tragedy--A National Challenge" and "Between Two Milestones." The complete text of both reports is given. The recommendations, indexed by subject, pertain to: self-determination, Indian policies and goals, legislation, federal funding, the Indian educational system, Johnson-O'Malley programs, Indian culture, local control and accountability, civil rights, health, and information dissemination. Part 2 also contains: (1) A Statistical Profile of the Indian: The Lack of Numbers; (2) Title IV--The Indian Education Act of 1972; (3) Opportunity to Improve Indian Education in Schools Operated by the Bureau of Indian Affairs--Department of the Interior; (4) A New Era for the American Indians; (5) Secretary of the Interior Morton Reports on Indian Matters; (6) Tribal Unity for Self-Determination; and (7) Title IV Programs: Case Histories and Reports. (NQ)

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first annual report to the congress of the united states from the national advisory council on indian education

part 2 of 2 parts

RC 007864

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"We only want the right
to live as other men live"

Chief Joseph

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Title IV Programs: Case Histories and Reports

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The management of Indian Affairs—by Indians, is a prerequisite to the success of the Federal policy for Self-Determination. The Council's recommendation provides clear guidance to achieving this goal.

Recommendation No. 2
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A mandatory Federal/State personnel plan for Indian education agencies is necessary to insure that key management positions are staffed by Native Americans. Only then will Indians be satisfied that their best interests are being served.

Recommendation No. 3
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The inability of the American educational system to provide proper language development for Native Americans is a major root cause of the Indian failure syndrome. The proposed innovative plan, points a way out of this historical dilemma.

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The unresponsive and grossly overmanned Federal Indian Affairs bureaucracy have successfully ignored "The Will of Congress" for too long—and to the severe detriment of Native Americans. Only Congress can force the modernization of these Government agencies and bring them under control.

Recommendation No. 5

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The 1972 passage of Title IV brings about an urgently needed coherent policy—with clearer program definition—for meeting the needs of many Native Americans who previously had no covering legislation.

Recommendation No. 6

A Bicentennial Education Goal for Native Americans

The Bureau of Indian Affairs established an admirable Indian education goal for 1976 but unfortunately, the U.S. Comptroller General's Office (GAO) finds that the BIA has made little actual progress toward its accomplishment—nor does GAO believe BIA management practices can achieve such a goal

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SELF-DETERMINATION

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FROM: **Indian Education: A National Tragedy—**
A National Challenge

10. The subcommttee recommends—

That the Federal Government shall not terminate Federal responsibility and services in educational fields to any Indian tribe, band, group, or community, unless such termination is consented to by those Indians affected by such termination.

The subcommittee has found that the termination policy of the 1950's has continued to be an expression of the intent of Congress in the 1960's. The fear of termination has poisoned every aspect of Indian affairs, has undermined every meaningful attempt at organizational reform, and has been a major psychological barrier to Indian socioeconomic development. Termination bills are still introduced in Congress. Awards by the Indian Claims Commission are still used as a device to induce tribes to apply for termination. The subcommittee feels that the best corrective measure for this dilemma is to establish a procedure whereby no termination of responsibilities and services in educational fields will be carried out by the Federal Government unless consented to by those Indians affected.

NACIE *Concurs.*

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18. The subcommittee recommends—

That Indian parental and community involvement be increased.

The BIA has been particularly lax in involving the participation of Indian parents and communities in the education process. Such involvement would have a benefiicial effect on the attitude of Indian children toward school and their own education, and could be helpful in bringing about strengthened and enhanced education programs.

In addition, this parental and community involvement at the school level complements the local and national Indian boards recommended above.

NACIE *Concurs.*

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D. Transfer of Responsibility

55. The subcommittee recommends—

That Indian tribes or communities should approve in a formal referendum the transfer of their children to public schools before such a transfer can be effected.

The Bureau's transfer policy, as presently stated in the Indian Affairs Manual, gives the Bureau the authority to determine when Indian students should be transferred from Indian schools to public schools. Despite former Commissioner Bennett's statement that tribes will decide in a referendum when they are ready for transfer, no such written policy exists. If the Bureau's "mutual readiness" policy is to mean anything, Indians must have the opportunity to determine when they are "ready" for transfer.

NACIE *Concurs.*

FROM: **Between Two Milestones**

RECOMMENDATION NO. 9

Whereas, the movement of Native people to urban areas is predicated on an often unfulfilled promise of economic opportunity to live a richer life, *and*

Whereas, the movement to urban areas tends to drain trained leadership away from Native communities which need the social presence and the services these individuals can provide;

It is recommended, That, the policies and procedures for the implementation of self-determination in Native education should reach into other areas of Native affairs so that the impact of vocational, collegiate, and professional training of Native people is felt more strongly in Native communities, *and* That, long-range plans for staffing the Public Health Service, Legal Assistance, Land Management, and other services provide on-reservation jobs at many skilled levels for Native people who have completed appropriate training programs and wish to render service, other than in education, to their home or other reservation community.

NACIE COMMENT: *Needs clarification and better association between Education Programs and other services.*

INDIAN POLICIES & GOALS

FROM: **Indian Education: A National Tragedy—A National Challenge**

SUMMARY OF HISTORICAL FINDINGS

I. Policy Failure

The dominant policy of the Federal Government towards the American Indian has been one of coercive assimilation. The policy has resulted in:

A. The destruction and disorganization of Indian communities and individuals.

B. A desperately severe and self-perpetuating cycle of poverty for most Indians.

C. The growth of a large, ineffective, and self-perpetuating bureaucracy which retards the elimination of Indian poverty.

D. A waste of Federal appropriations.

II. National Attitudes

The coercive assimilation policy has had a strong negative influence on national attitudes. It has resulted in:

A. A nation that is massively uninformed and misinformed about the American Indian, and his past and present.

B. Prejudice, racial intolerance, and discrimination towards Indians far more widespread and serious than generally recognized.

III. Education Failure

The coercive assimilation policy has had disastrous effects on the education of Indian children. It has resulted in:

A. The classroom and the school becoming a kind of battleground where the Indian child attempts to protect his integrity and identify as an individual by defeating the purposes of the school.

B. Schools which fail to understand or adapt to, and in fact often denigrate, cultural differences.

C. Schools which blame their own failures on the Indian student and reinforce his defensiveness.

D. Schools which fail to recognize the importance and validity of the Indian community. The community and child retaliate by treating the school as an alien institution.

E. A dismal record of absenteeism, dropouts, negative self-image, low achievement, and, ultimately, academic failure for many Indian children.

F. A perpetuation of the cycle of poverty which undermines the success of all other Federal programs.

IV. Causes of the Policy Failure

The coersive assimilation policy has two primary historical roots:

A. A continuous desire to exploit, and expropriate, Indian land and physical resources.

B. A self-righteous intolerance of tribal communities and cultural differences.

NACIE *Concurs.*

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FROM: **Indian Education: A National Tragedy—**
A National Challenge

PART II: A NATIONAL CHALLENGE— SUBCOMMITTEE RECOMMENDATIONS

I. POLICY AND GOALS

A. National Policy

The development of effective educational programs for Indian children must become a high priority objective of the Federal Government. Although direct Federal action can most readily take place in the federally-operated schools, special efforts should be made to encourage and assist the public schools in improving the quality of their programs for Indian children. The U.S. Office of Education should make much greater use of its resources and professional leadership to bring about improvement in public school education of Indian children.

The costs of improving the education of Indian children are bound to be high. In fact, a truly effective program probably will require doubling or even tripling the per pupil costs. But, the high educational costs will be more than offset by the reduction in unemployment and welfare rates and the increases in personal incomes certain to follow as a result of effective educational programs.

One of the crucial problems in the education of Indian children is the general relationship between white society and Indian communities. This relationship frequently alienates Indians and Indian communities, dampening both their potential for full self-development and their opportunities for gaining experience to control their own affairs through participation in effective local government.

It is essential to involve Indian parents in the education of their children and to give them an important voice—both at the national and local levels—in setting policy for those schools in which Indian children predominate. Whenever Indian tribes express the desire, assistance and training should be provided to permit them to operate their own schools under contract. A precedent and one model for this approach already exists at the Rough Rock Demonstration School in Chinle, Arizona.

The curriculum in both Federal and public schools serving Indian children should include substantial information about Indian culture and history and factual material about contemporary Indian life. This is important for both Indian and non-Indian children if they are to gain a better perspective and understanding of Indian heritage and current circumstances.

The complexity of the problems associated with cross-cultural education merit substantial research and development and the continuing adoption of promising innovations as they are discovered or developed. The present assumptions underlying the conventional approach of both Federal and public schools have not been valid, and a systematic search for more realistic approaches is clearly in order.

The most important step that can be taken as a matter of national policy and priority is to convert Federal schools in different regions of the country into exemplary institutions which can serve as a resource base and a leadership source for improving Indian education in public schools. They should provide models of excellence in several areas. First, in terms of developing outstanding bicultural, bilingual programs. Second, in terms of the development and utilization of the most effective techniques for educating the disadvantaged student. Third, they should be staffed and operated as therapeutic institutions capable of maximizing the personality development of the Indian child as well as assisting him in resolving his emotional and behavioral problems.

In summary, the Federal Government must commit itself to a national policy of educational excellence for Indian children, maximum participation and control by Indian adults and communities, and the development of new legislation and substantial increases in appropriations to achieve these goals.

1. The subcommittee recommends—

That there be set a national policy committing the nation to achieving educational excellence for American Indians; to maximum participation and control by Indians in establishing Indian education programs; and to assuring sufficient Federal funds to carry these programs forward.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

B. National Goals

The ultimate criteria of the success of the new policy, and the ones by which the Federal Government should gauge the adequacy of its efforts, are the availability of high-quality programs for all Indian children and their actual achievement in these programs. The Federal Government should set specific, measurable goals for rapid attainment of equal educational opportunity for Indian children. The size and scope of the effort needed could be compared with the "Marshall Plan" which brought about the socioeconomic rehabilitation of Europe following the destruction of World War II. Certainly the United States has as great a moral and legal commitment to its Indian citizens as it did to its European allies and adversaries.

2. *The subcommittee recommends—*

That the United States set as a national goal the achievement of the following specific objectives:

Maximum Indian participation in the development of exemplary educational programs for (a) Federal Indian schools; (b) public schools with Indian populations; and (c) model schools to meet both social and educational goals;

Excellent summer school programs for all Indian children;

Full-year preschool programs for all Indian children between the ages of 3 and 5;

Elimination of adult illiteracy in Indian communities;

Adult high school equivalency programs for all Indian adults;

Parity of dropout rates and achievement levels of Indian high school students with national norms;

Parity of college entrance and graduation of Indian students with the national average;

Readily accessible community colleges;

Early childhood services embracing the spectrum of need;

Bilingual, bicultural special educational assistance;

Effective prevention and treatment procedures for alcoholism and narcotic addiction;

Expanded work-study and cooperative education programs;

Workable student financial assistance programs at all educational levels; and

Vocational and technical training related accurately to employment opportunities.

3. *The subcommittee further recommends—*

That national goals be set for health, housing, and employment needs of American Indians.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy—A National Challenge**

C. General Recommendations

4. *The subcommittee recommends—*

That the Congress authorize a White House Conference on American Indian Affairs and appropriate the funds necessary for its planning and implementation.

The subcommittee has found that one of the primary reasons for the failure of national policy and programs for American Indians has been the exclusion—or only token involvement—of Indians in determining policy or planning of programs. A White House Conference on American Indian Affairs would be a dramatic reversal of this unyielding practice. Such a White House Conference could provide for broad scale participation of Indians in extensive deliberations at the tribal, local, and regional levels, in preparation for the National Conference. The report of the Conference, with detailed policy, legislative, and program recommendations, could serve as the blueprint for reform and change over the next generation. As an indication of the widespread support in the Indian community for this approach, the National Congress of American Indians has strongly endorsed the need and desirability of such a conference in its 1968 and 1969 annual conventions.

An authorization for a White House Conference should contain provisions for adequate funding to permit large numbers of Indians to participate at all levels in the planning and conduct of the Conference. In addition, it should provide the means for substantial technical assistance so that the Conference can address all of the complex and difficult problems facing American Indians. This would include thorough evaluations of present Federal programs and their deficiencies. Finally, the authorization should provide a clear mandate for the steps to be taken for implementation and followup of the Conference recommendations. The Conference should be planned and carried out largely by American Indians, not Government officials. The National Council on Indian Opportunity could play an important role in providing technical support and a secretariat for the Conference and assuming the primary responsibility for seeing that the recommendations are implemented.

The subcommittee feels that there is one issue of major importance which deserves special attention and analysis in the Conference proceedings—the organization and location of the Bureau of Indian Affairs. Numerous witnesses and consultants have informed the subcommittee that the present organization and location of the Bureau of Indian Affairs is unsatisfactory, and seriously impedes the development of Indian physical and human resources. The subcommittee believes that if basic problems of policy and program failure are to be overcome, the Bureau of Indian Affairs must be transformed into a technical assistance agency which will assist Indian tribes and communities to develop and operate their own programs and services. How this can best be done without in any way infringing upon the Indians' special relationship with the Federal Government should be a matter of high priority to be resolved by the White House Conference on Indian Affairs; in effect, by the Indians themselves. We have previously had White House conferences on matters of high national concerns. These have included conferences on civil rights and on natural beauty. In December, there will be one on hunger and nutrition. In 1970, there will be one on aging. It is time for one on American Indians.

The National Council on Indian Opportunity is the logical agency to coordinate and support the proposed White House Conference on American Indian Affairs. It is charged through Presidential Executive Order 11399 with responsibility to coordinate, appraise, and innovate in the area of Indian programs. The Council is chaired by the Vice President and consists of seven Cabinet officers having responsibility in the field of Indian affairs. Also, there are six Indians on the Council who, for the first time, sit at a high policy program formulation level.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

II. ADMINISTRATION OF INDIAN EDUCATION

A. General Recommendations

The most difficult question confronting the subcommittee was what organizational changes are necessary if Indian schools are to become "models of excellence" in terms of both program and Indian control. The subcommittee has found that the Bureau of Indian Affairs suffers from a severe bureaucratic malaise, which militates against change and innovation as well as actively discourages Indian control. The present structure of the Federal school program, as an integral part of the Bureau of Indian Affairs places primary control over educational decisionmaking in the hands of area directors and noneducators. It destroys educational leadership and rewards mediocrity. It is therefore not possible to conceive of change and improvement in the present structure. If an exemplary program is to be developed, it will require a radical and comprehensive reorganization.

15. The subcommittee recommends—

> **(a) That the position of the Commissioner of the Bureau of Indian Affairs be upgraded by giving him the concurrent title of Assistant Secretary for Indian Affairs.**
>
> **(b) That the Bureau of Indian Affairs be removed from the authority of the Assistant Secretary for Public Land Management and be placed under the authority of this new Assistant Secretary for Indian Affairs.**

At present, the BIA is one of four bureaus under the Assistant Secretary for Public Land Management. The four are: the BIA; the Bureau of Land Management; the Bureau of Outdoor Recreation; and the Office of Territories. This Assistant Secretary is thus principally concerned with the conservation, management, and development of some 453 million acres of the nation's public lands, and the administration of mining and mineral leasing on federally owned lands. He is also the focal point of Federal activities related to outdoor recreation.

It is perfectly plain that the present administrative arrangement shortchanges the BIA, which must compete with other bureaus (whose interests are diametrically opposed) for the Assistant Secretary's attention.

The present arrangement has resulted in inadequate budget levels, neglect of educational programs and problems, and lack of forceful leadership for improvement. The change in placement and status of the BIA should permit higher budget levels, more effective leadership, and more rapid innovation.

There exist ample precedents for this dual title. For example, in the Department of Housing and Urban Development, the Assistant Secretary for Mortgage Credit is also the Commissioner for Federal Housing. Furthermore, the Commissioner of the BIA, Hon. Louis Bruce, endorsed this step in a meeting with the subcommittee on Oct. 2, 1969.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy—**
A National Challenge

17. The subcommittee recommends—

That Indian boards of education be established at the local level for Federal Indian school districts.

The powers of such local boards would be similar to those powers traditionally held by local school boards. The boards, for example, would have supervision over curriculum and the hiring of faculty in the schools in their districts. Generally, they would have jurisdiction in Indian school districts containing elementary and secondary schools situated in a proper geographic, tribal, or community area. These boards would be either elected by the Indian district in which they would serve, or be appointed by the tribal or community authority there. It is assumed that the method of selection would vary from area to area. Approximately 80 percent of local boards throughout the country are elected.

In keeping with the practice throughout the Nation wherein the overwhelming majority of local school boards are elected, the subcommittee expresses the hope that local Indian boards will likewise be subject to election, keeping in mind that in a minority of areas, as elsewhere in the country, local preference may dictate that the board be appointed.

The local boards would have direct lines of communication with the National Indian Board of Indian Education, and would be empowered to convey to it recommendations for overall policy.

NACIE *Concurs.*

19. The subcommittee recommends—

> **That the Assistant Commissioner for Education of the Bureau of Indian Affairs be given the responsibilities of a superintendent of Federal schools, having direct line control over the operation of the schools, including budgets, personnel systems, and supporting services. It also recommends that the term of office of the Assistant Commissioner be limited to 4 years, subject to reappointment.**

This would place the Federal school system outside of area office and reservation agency control, and leave the Federal school system as an autonomous unit within the BIA. Furthermore, it would permit the Assistant Commissioner much greater authority to negotiate with State and local school boards and agencies for augmented Indian education programs in the public schools.

The subcommittee urges that the Assistant Commissioner for Education retain decisionmaking authority over policy matters, and delegate only ministerial functions to his subordinates.

NACIE *Concurs.*

**FROM: Indian Education: A National Tragedy—
A National Challenge**

20. The subcommittee recommends—

> **That the Department of Health, Education, and Welfare and the Department of the Interior, together with the Naional Council on Indian Opporunity, jointly devise a plan of action for a united effort between the two Departments for the development of a quality education program for Indian children, and that such plan be submitted to the Congress no later than March 1, 1970.**

Two Federal agencies presently have the special expertise required to upgrade the education of Indian children. The Bureau of Indian Affairs has direct responsibility for educating children in Federal Indian schools, and the U.S. Office of Education concerns itself with public school programs, some of which affect Indian children. Both agencies have the same goal of quality education. Unfortunately, each agency pursues that goal within the context of its own plans and operations. There is little, if any, sharing of ideas or resources. These two Federal agencies do not work together to reach solutions to common Indian education problems, primarily because no working mechanism exists for that purpose.

In 1967 the Senate Labor and Public Welfare Committee posed the question of where in the Federal structure responsibility for Indian education should be located in order to best serve the interests of Indian children. An interdepartmental committee (HEW-Interior) was established and a careful review was undertaken by both Departments. Despite the fact a number of meaningful recommendations were made and supported by the two Departments, relatively minor progress has been achieved.

The subcommitte believes that the failure to implement the interdepartmental committee's recommendations was due in large measure to the absence of a commitment to a joint cooperative effort between Interior and HEW.

The subcommittee therefore strongly urges the Secretary of the Interior and the Secretary of Health, Education, and Welfare, together with the NCIO, to devise a plan of action for a united effort by the two Federal Departments, and other relevant departments and agencies for the development of a quality education program for Indian children irrespective of place of enrollment.

In developing such a plan the two Departments should consider ways in which personnel from both Departments working on the united effort could work withe the proposed National Indian Board of Indian Education.

The subcommittee requests that such a plan be submitted to the Congress no later than March 1, 1970.

NACIE *Concurs.*

FROM: Indian Education: A National Tragedy—
A National Challenge

C. Special Programs

1. VOCATIONAL EDUCATION

26. The subcommittee recommends—

That there be a thorough *review of the vocational education and manpower programs in the BIA.*

A through review and evaluation of vocational education and manpower programs in the BIA should be conducted by a group of independent experts, similar to the excellent study which resulted in many of the reforms written into the Vocational Educational Amendments of 1968. Indian parents and tribal leaders should play a signifiicant role in the review and planning process of this effort. The study should necessarily include employment and economic opportunities available for those Indians who may wish to remain on the reservation or live close to it. Attention should also be given to the number of vocational and manpower programs offered by various agencies and a means for coordinating them.

The vocational training program should take cognizance of the desire of many Indian people to remain on the reservation and prepare students for both on and off reservation employment. Vocational training programs should be closely articulated with economic development programs on reservations.

NACIE *Concurs.*

34. The subcommittee recommends—

The Bureau of Indian Affairs should provide continuing support for the community colleges on or near Indian reservations, such as the Navajo Community College.

With more Indians expected to attend college each year, it is essential that a sound community college program be in operation which recognizes the problems of Indian students. The Bureau can take a leading role in this area by providing continuing support for Indian community colleges. The Bureau should conduct a study exploring the feasibility of Indian community colleges, and then of working toward the establishment of such Indian controlled institutions.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy—
A National Challenge**

D. Innovation and Research and Development

1. ROUGH ROCK

41. The subcommittee recommends—

That the BIA take a stronger role in assuring that the Rough Rock School continue functioning as an exemplary demonstration school and that similar demonstration schools be established and appropriately funded on other Indian reservations.

The subcommittee has found that the Rough Rock Demonstration School has had a tremendous impact on the development of new and more effective educational programs for Indian children in both public and Federal schools. In addition, it is still the only example of a successful school under tribal control. There is a continuing need for demonstration schools. Rough Rock has been funded at a much higher level than other schools on the reservation, and this is a major reason for its important accomplishments. The BIA should provide strong financial support for a sustained exemplary education program at the Rough Rock School, *without in any way infringing on the autonomy* of the school (as a nonprofit corporation) to plan and carry out its own programs. In addition, the Rough Rock school should be included in any nationwide array of demonstration schools funded by the Federal Government.

One of the most promising mechanisms for the development of additional model schools would be the contracting of their operation to a nonprofit corporation with an Indian board of directors similar to the Rough Rock school. The Indian board could in turn have the power to subcontract on a competitive basis the operation of the school to any appropriate profit or nonprofit organization capable of developing the model program in keeping with the policy guidance of the board. Decentralization of the Federal school system by means of this contracting device would permit meaningful local control, diversity of approaches, and a healthy sense of competition between different schools.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy—**
A National Challenge

3. CONSULTANTS

43. The subcommittee recommends—

That the BIA increase its use of consultants.

This report has already recommended a number of areas where consultant assistance is desperately needed by the BIA. The BIA should have a budget sufficient for independent consultant assistance and use them extensively. This is clearly preferable to an attempt to develop substantial in-house specialization. It is impossible to attract the kind of talent needed under present civil service rules and regulations.

NACIE *Concurs.*

51. The subcommittee recommends—

That technical assistants should be hired by the BIA to work with local agencies, State departments of education and Indian participant groups in helping to identify special Indian needs and in developing programs which would meet those needs.

The assistants should be Indians who can serve as special consultants to the parties involved in order that the best possible JOM contract can be negotiated. They should not be desk-bound nor assigned to such an expansive territory that they are unable to get out into all parts of the field.

NACIE *Concurs.*

59. The subcommittee recommends—

That Indians should be considered for appointment to the advisory groups functioning within the U.S. Office of Education, including those established by statute as well as those created by administrative action.

Such advisory groups should be requested to give special attention to problems of Indian education, where appropriate. In particular, the National Advisory Council on the Education of Disadvantaged Children should give Indian education its continuing attention. Copies of this report should be brought to the attention of the Council and other Federal education advisory groups.

The U.S. Office of Education indicates that there are within OE some 2 dozen education advisory groups established by law or administratively. Indians are inadequately represented on these groups.

NACIE *Concurs.*

FROM: **Between Two Milestones**

RECOMMENDATIONS

The educational concerns of American and Alaskan Native people go beyond the problems referred to in the charges to the Special Education Subcommittee. Hearing testimony and Subcommittee deliberations led to the following recommendations:

Recommendation No. 1

Whereas, the cultural backgrounds, economic circumstances, educational needs, and degree of desired responsibility for the management of education are too diverse to be implemented by a single set of operational policies or procedures without violating the individuality of Indian people or the spirit of self-determination;

It is recommended, That, all agencies of the Federal Government meet the obligation to support Indian education and implement the policy of self-determination through a variety of contractual arrangements which are sufficiently flexible to meet the needs of Indian people living under the diverse circumstances of Indian communities on or off reservations and in pluralistic urban areas.

NACIE *Concurs.*

LEGISLATION

FROM: **Indian Education: A National Tragedy—**
A National Challenge

6. The subcommittee recommends—

That there be presented to the Congress a comprehensive Indian education act to meet the special education needs of Indians both in the Federal schools and in the public schools.

The subcommittee feels that a proliferation of set-asides for BIA schools in Federal education statutes, such as ESEA, is an unsatisfactory means of bringing to Indian youngsters the advantages of the wide variety of programs set forth in Federal law. A direct route from the Federal agency immediately concerned should be followed rather than the cumbersome means of having one Federal agency, the Office of Education, transfer part of its appropriations for Federal grant-in-aid programs to another Federal agency, the Bureau of Indian Affairs, and in the process decrease the amount of such funds available to the States and communities.

As for the Johnson-O'Malley Act, which provides for Indian children in the public schools, this law was last changed in 1936. It is due for substantial revision. No other education statute has gone more than 30 years without some modernization to meet changing conditions. The Elementary and Secondary Education Act, for example, was first enacted in 1965 and was substantially revised in 1966 and 1967. Again this year, it is the subject of additional, substantial revision. In addition, the fact that administrative revisions recommended for JOM over the years have never been adequately effectuated points up the need for change by legislative means; trying the alternative administrative route has consistently proven ineffective.

The comprehensive Indian Education Act which the subcommittee contemplates would join in a single coordinated statute all Indian education programs, including those provided for set-aside provisions in general education grant-in-aid programs, public school programs (except Public Law 874), and BIA programs. Such a statute would be generally parallel to the array of other Federal education laws and would have, for example, titles devoted to adult education, to exemplary and model programs, to research, to library resources, to the handicapped, and so forth, as well as a title or titles dealing with areas unique to the education of Indians, such as Indian culture and biculturism. The set-aside programs referred to heretofore would expire when the new Indian Education Act went into effect.

The subcommittee contemplates that the comprehensive statute recommended here would include those applicable provisions which have also been recommended by this report for inclusion in the Johnson-O'Malley Act, such as submission of plans, need for accountability and evaluation procedures, involvement of Indians, contract authority with tribes and communities, etc.

Just as the various titles of the Elementary and Secondary Education Act have their own advisory groups composed of persons expert in the discipline covered, as well as community representatives, so should the applicable titles of the Indian Education Act have advisory bodies. Such a procedure would help advance the subcommittee's concept that Indians must play a significant role in the education of their children.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

16. The subcommittee recommends—

That there be established a National Indian Board of Indian Education with authority to set standards and criteria for the Federal schools.

Structurally, this recommendation is patterned after the organization of education in the States, with the National Indian Board of Indian Education as the centerpoint of citizen participation much as is the State Board. It would, as do the counterpart boards in the States, have oversight over the operations of the schools and have authority to set sandards and crieria and determine policy within the framework of the law. The National Board would receive funds for its operations.

The National Board would be composed of some fifteen members, representative of the Indian tribes and communities, serving staggered terms of three years. They would be appointed by the President from lists of nominees furnished by the Indian tribes and communities and would be eligible to serve no more than two consecutive terms. At least annually, but more often if necessary, the Board would submit to the Congress and to the President reports and recommendations for administrative action or legislation, thus giving the Indians themselves leverage in effecting change. The National Board could elect to *ex officio* membership no more than five non-Indian individuals expert in areas of concern to the Board.

The National Board would be authorized to utilize the expertise of the U.S. Office of Education, the Office of Economic Opportunity, and other Federal agencies.

While this recommendation envisions the appointment of the National Board, the subcommittee believes that the matter of election of the members of the National Board merits careful consideration. Therefore, the National Board should be empowered to establish the mechanism for electing the Board, and an equitable means by which such members might be elected. It should submit a plan for election of Board members, to the Congress, and to the President. If this plan is not rejected by either House of Congress, following the procedure of congressional action as prescribed by law in the case of executive reorganization plans, then the election procedure would be put into effect.

The National Board would also be empowered to participate in the negotiation of contracts with individual tribes and communities to run local school systems for Indians.

The Board would present to the Department of Interior its suggestions for nominees for Assistant Commissioner for Education as well as presenting its views on any candidate that the Department may be considering for the post. Since the Assistant Commissioner for Education would be serving for one or more terms of 4-year duration, the National Board would have the foregoing review responsibilities also with respect to reappointment.

Finally, the National Board would serve in an advisory capacity with respect to Federal education programs involving Indians in the public schools. For example, the Board could review school district use of Johnson-O'Malley funds to assure they were being used for the needs of Indian students.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

28. The subcommittee recommends—

That the BIA's regulation for financial aid for higher education be changed so that need rather than location of residence will determine a student's eligibility.

The present regulation states that Indian students living on or near reservations should be given preference in determining eligibility for grants. The needs of many Indians in urban areas are often as great as Indians near reservations, and thus a student's financial needs should be the major determinant of his eligibility.

NACIE *Concurs.*

FEDERAL FUNDING

page 26 blank

FROM: **Indian Education: A National Tragedy—A National Challenge**

5. The subcommittee recommends—

That there be established in the U.S. Senate a Select Committee on the Human Needs of the American Indian.

The subcommittee has found that the Federal Government has failed to understand sufficiently and to effectively delineate the extent and severity of the problems confronting the American Indian. In addition, the Federal Government has failed to adequately understand the human needs and aspirations of the American Indian. The result has been a major failure of national policy.

The 1960's have witnessed a growing recognition of this failure, and the emergence of many new Federal programs to provide assistance. New legislation such as the Economic Opportunity Act, the Elementary and Secondary Education Act, the Manpower Development and Training Act, the Economic Development Act, and new legislation in the field of housing, have spread the responsibility for Indian affairs across the executive branch of the Federal Government. The Library of Congress has recently compiled a list of 86 different statutes which have specific provisions under which Indians and Indian tribes can receive Federal assistance. This proliferation of programs has led to confusion, overlapping responsibilities, programs working at cross-purposes, a general lack of coordination between agencies, and a complete lack of a unified policy. In recognition of this fact, President Johnson established by Executive order a National Council on Indian Opportunity, which included as members the Cabinet officers from the seven major departments with explicit responsibilities in the field of Indian affairs. No corresponding action has been taken by Congress.

The need for unified policy formulation and legislative oversight is apparent. A Select Committee on the Human Needs of the American Indian would be the best means for meeting this need. The executive director of the National Congress of American Indians has testified in support of such a committee and the executive council of NCAI has strongly recommended its early establishment. Other organizations of American Indians have expressed similar support.

One problem in evaluating the success of Federal programs for the American Indian is the extraordinary inadequacy of the statistical data presently available. Mr. Stephen A. Langone, Library of Congress Indian Affairs Specialist, has recently prepared a paper for the Joint Economic Committee, which points out that despite the fact that the Federal Government is presently expending in aggregate more than $500 million per year in its multiplicity of Indian programs. "It is literally impossible to obtain up-to-date and accurate information on such basic questions as employment and unemployment, average educational attainment, income, land ownership, reservation population * * *" and so forth. Congress has had to rely on statistics "that are in many cases 5, 10, 20, or more years old, and often incomplete and inaccurate." This constitutes a totally inadequate base for effective legislative action. The most damaging consequences of this lack of reliable information are vividly demonstrated in the termination legislation of the 1950's. Time after time, the Bureau of Indians Affairs provided an inadequate and often inaccurate socioeconomic profile of an Indian tribe which served as the basis for termination. The results were disastrous.

The lack of reliable data also means that Congress cannot carry out its legislative oversight function. As Mr. Langone states "* * * there is no sound basis for comparison to determine the increase or decrease of given problems or indeed the improvement or lack of improvement in the economy of Indian tribes." Without data problems cannot be adequately understood or delineated and consequently are neglected. For example, this subcommittee has found a serious lack of information in the area of mental health and the American Indian, yet we have been told by many witnesses that this should be a top priority of Federal concern. This subcommittee has brought to light data on Indian suicides and alcoholism which are extremely alarming. Yet no one begins to know the extent or full ramifications of the problem. Moneys cannot be appropriated wisely no can effective and responsible legislation be developed, without a unified and comprehensive information base.

The Senate Select Committee on Nutrition and Human Needs has made a major contribution in bringing to light the extent and severity of hunger and malnutrition in this country. It has as well pointed up the deficiencies in the Federal programs aimed at the alleviation of the problem. Its work and accomplishments are excellent precedents for the establishment of a Select Committee on the Human Needs of the American Indian.

This subcommittee has worked for 2 years on the problem of education of American Indians. We have developed much new information and discovered many previously unknown facts. We know full well how extensive the work remaining is. We do not envision a select committee as a permanent Senate committee; rather, we would see it as a congressional complement to the White House Conference. Its life need not be longer than 2 years, and its membership could be drawn from the standing committees with principal jurisdiction. Its work could help redirect the course of this Nation's American Indian policies.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy—A National Challenge**

7. The subcommittee recommends—

That the funds available for the education of American Indians be substantially increased, and that provision be made for advance funding of BIA education programs to permit effective planning and recruitment of personnel.

The subcommittee has found that BIA presently expends about $1,100 per student per year in a Federal boarding school. A number of witnesses testifying before the subcommittee have suggested that this amount must be doubled or tripled if an equal educational opportunity is to be provided the students in these schools. Dr. Carl Marburger, who is presently commissioner of education for the State of New Jersey (formerly the Assistant Commissioner for Education in the BIA) has pointed out that comparable programs for physically handicapped children have a yearly per-pupil cost of approximately $3,000. The yearly cost for students in boarding schools on the east coast is between $3,800 and $4,200.

In fiscal year 1969, the BIA applied severe restrictions to educational expenditures. Yet it ended the year having to spend $5 million more than it was appropriated. This has necessitated many cutbacks in the fiscal 1970 programs, including not purchasing needed textbooks and supplies. The BIA presently spends only $18 per child on textbooks and supplies, compared with a national average of $40.

The BIA operates many inferior school facilities and some that have actually been condemned. As a result of a lack of high school facilities in Alaska, over 1,200 Alaskan natives are sent to boarding schools in Oregon and Oklahoma. Thousands of Navajo children are in damaging elementary boarding schools on the Navajo Reservation because of inadequate appropriations for roads and day schools.

The education budget of the BIA is grossly inadequate. Until this most basic problem can be overcome, little progress toward educational excellence can be anticipated.

NACIE recommends: If the NACIE's principle recommendations 1 through 6 of this report were implemented most of the above problem would be eliminated.

FROM: **Indian Education: A National Tragedy— A National Challenge**

12. The subcommittee recommends—

Full funding of the National Council on Indian Opportunity for fiscal year 1970, and for subsequent years.

The National Council on Indian Opportunity was created by Executive Order 11399 on March 6, 1968 The purpose of the Council as stated in the Executive order is to encourage full use of Federal programs as they relate to Indians, apprise the impact and progress of Federal programs for Indians, and suggest ways to improve such programs.

By including six Indians as members, the Council affords the Indian people, for the first time in the history of Federal-Indian affairs, an opportunity to sit at the highest administrative level and have a direct say in the formulation of policies and programs as they relate to Indians.

President Johnson and President Nixon both have given their strong support to the Council. The National Congress of American Indians, the largest Indian organization in the country, indicated its strong support for this program in a position paper adopted May 6, 1969, in Albuquerque, N. Mex. The NCAI commented that the creation of the Council was:

> * * * a milestone in the involvement of Indian people with the administration of this country, and as such it can be a vital mechanism for Indian involvement in their own progress. There is no other like body which gives the Indian people such vital participation in the discussion and solution of their problems. The National Council on Indian Opportunity must be continued and funds appropriated for its continued operation.

As more and more programs for Indians are begun in agencies other than the Department of the Interior, the need for program coordination and appraisal becomes even more acute. Nearly half of the total Federal outlay in Indian Affairs goes to agencies other than the Bureau of Indian Affairs. These departments, whose secretaries, along with the Vice President as chairman, and the Indian members mentioned above, sit on the Council, are: Agriculture, Commerce, Labor, HEW, HUD, and OEO. Additionally, it is expected that the Department of Justice will embark on its first Indian program during fiscal year 1970. In judgment of the subcommittee, the Council is the only agency equipped with the authority to coordinate all Federal Indian programs.

On September 3, 1969, the Senate passed an authorizing resolution continuing the Council. The resolution is now pending in the House of Representatives and the subcommittee recommends favorable action be taken as soon as possible.

It is expected that another request for funding of the Council will be included in a supplemental appropriations bill to be sent to Congress later this fall. The subcommittee concluded that favorable action on funding the Council is imperative.

NACIE recommends: *NCIO be given the authority and support to carry out the stated objective of the organization.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

13. The subcommittee recommends—

> **That the Bilingual Education Act (title VII of the Elementary and Secondary Education Act) receive sufficient funding so as to enable expanded programs for Indian children, that the act be amended to include schools operated for Indians by nonprofit institutions, and that BIA schools undertake expanded bilingual education programs of their own, along the lines of those outlined in the Bilingual Education Act, to meet the needs of Indian pupils.**

There are nearly 300 Indian languages in use today in the United States. More than one-half of the Indian youth between the ages of 6 and 18 use their native language. Two-thirds of Indian children entering Bureau of Indian Affairs schools have little or no skill in English.

At the same time, a substantial number of the teachers instructing

Indian children are unfamiliar with the only language their Indian students understand. It is estimated that less than 5 percent of teachers in BIA schools are native to the culture and language of the Indian children they teach. Thus, thousands of Indian children who know only their native language are taught by teachers who essentially know only English.

Of the $7.5 million appropriated for the Bilingual Education Act (title VII of the Elementary and Secondary Education Act)—a vastly inadequate amount—only $306,000 is being spent on Indian bilingual programs benefiting but 773 Indian children.

This program can do much more than enable the child to learn English through use of his native language. It can emphasize the history and culture of the Indian, provide for native aides in the classroom and develop a system of home-school coordinators to improve the relationship between school and family. The bilingual education program offers opportunities to sensitize teachers to Indian culture through inservice and preservice programs. Programs can be provided to train teachers in the native language of their Indian students. One effort presently in operation provides for a curriculum guide for mothers of Cherokee children so that they can work with their children in understanding new language concepts.

Title VII, ESEA, offers a unique opportunity to provide bilingual and bicultural education for Indian students, as well as to initiate programs which would give teachers a better understanding of Indian language, culture, and history.

While the bilingual education program requires expansion to meet the needs of all non-English speaking children, an intensive effort is needed now to provide Indians with culturally sensitive programs.

The Rough Rock Demonstration School on the Navajo Reservation in Arizona, operated as a nonprofit corporation, has shown that remarkable progress can be made by using culturally sensitive teaching materials and teachers trained in the bilingual education approaches. The children learn English faster this way, while at the same time sustaining pride in their culture. To receive bilingual education funds under this title, Rough Rock must be defined as a local educational agency.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

2. HIGHER EDUCATION

27. The subcommittee recommends—

(a) That stipends for Indian students receiving BIA scholarships and fellowships (including allowances for subsistence and other expenses for such persons and their dependents) be brought into line with practices under comparable federally supported programs and the BIA allocate sufficient funds for this purpose.

For several years there has been an effort in Congress that student stipends (including allowances for subsistence and other expenses for such persons and their dependents) be consistent. This effort has been reflected in amendments to the law (e.g., the Higher Education Amendments of 1968, Public Law 90–575) and changes in administrative practice in Federal agencies (e.g., the National Science Foundation).

The subcommittee would like to bring to the attention of the Bureau of Indian Affairs a passage in Senate Report No. 1387 issued by the Senate Committee on Labor and Public Welfare on July 11, 1968, in conjunction with the Higher Education Amendments of 1968, as follows:

"Therefore, the committee requests that the U.S. Office of Education and other Federal agencies concerned give high priority to equalize through administrative action the terms and amounts of institutional and individual academic support programs. If this equalization cannot be accomplished by the administrative means suggested by the committee in both this report and in Senate Report 1137, then it is requested that the Office of Education and the other agencies concerned submit to this committee a report on he reasons therefor together with appropriate legislative recommendations to accomplish the equalization."

The subcommittee found, for example, that inadequate funding prevents the BIA from granting additional subsistence money to married students. This is inconsistent with the practice of the Office of Education which grants $500 for each dependent.

The BIA estimates that there are about 400 students in this situation and a least an additional 400 needing assistance for graduate studies.

(b) That the Bureau of Indian Affairs should expand scholarship programs so as to provide expanded support for Indian students in graduate studies.

It has not been until recent years that the Bureau of Indian Affairs has recognized Indian graduate students and their need for scholarship assistance. The Bureau has been able to provide only limited funding for graduate study, though. Since many of these Indian students will take major leadership roles in society following their studies, it is essential they be given every opportunity to pursue their educational goals. The Bureau should therefore expand its scholarship program so as to substantially increase funds available to Indian graduate students.

NACIE recommends: *More financial aid direct to the student and in turn reduce support to college and university general programs.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

35. The subcommittee recommends—

That the Bureau of Indian Affairs should fund an institute in Alaska, possibly in cooperation with the University of Alaska, similar to the Institute of American Indian Arts in Santa Fe, N. Mex.

There is a need in Alaska, as there has been in the Southwest United States, for a center which would assist natives in functioning in today's world while at the same time retaining their cutural identity. A center is therefore needed emphasizing the traditions of native people, their arts and crafts, their music and dance, their poetry and philosophy. Such an institute could serve a leadership role in developing innovative programs aimed at meeting the needs of native students.

NACIE *Concurs.*

36. The subcommittee recommends—

That programs aimed at recruiting and orienting Indian students to college should be expanded and funded at a more adequate level.

Talent Search, Upward Bound, and Special Services programs should be expanded to include more Indians. Other similar programs, such as Project COPAN at the University of Alaska and the BIA's precollege program at Haskell Institute merit increased funding; they have proven their value in keeping Indians in college, yet many have been discontinued or have been inadequately funded.

NACIE *Concurs.*

IV. FEDERAL ROLE AND NON-FEDERAL SCHOOLS

A. Public Law 81–874

1. FORWARD FUNDING

44. The subcommittee recommends—

That forward funding procedures be implemented for Public Law 874.

A number of school districts educating Indians depend upon Public Law 874 for a substantial portion of their budget. Fifteen different States have one or more districts in which Public Law 874 money constitutes at least 25 percent of the total budget, and in many instances that percentage is considerably higher. It is essential that such districts be assured of operating funds at least a year in advance as now authorized by law. Late funding procedures have caused great uncertainty for many districts and have prevented them from adequately planning programs to meet their students' needs.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy—**
A National Challenge

2. FULL FUNDING

45. The subcommittee recommends—

That Public Law 874 be fully funded.

As explained above, some districts are so dependent upon Public Law 874 money that it is essential their education programs are not handicapped because of a lack of full funding.

NACIE *Concurs.*

B. Public Law 81–815

1. PRIORITY IN FUNDING

46. The subcommittee recommends—

That section 14 of Public Law 81–815 be declared as deserving of priority funding.

More Indian students continue to be transferred into public schools yearly, but because of inadequate funding for Public Law 815, these public school districts are receiving no funds for construction of additional facilities, which the presence of increased Indian enrollment may necessitate. Public school districts located on reservations must also provide housing for the teaching staff, and often, districts must depend upon Public Law 815 grants for such construction. It is essential that section 14 funding be given the priority needed to provide adequate facilities for Indian students. Because of no funding in recent years, there are areas (Navajo, N. Mex., for example) where the question is not of adequate facilities, but of no facilities for Indian students at all.

NACIE *Concurs.*

2. MORE ADEQUATE FUNDING

47. The subcommittee recommends—

That Public Law 81–815 be more fully funded.

Public Law 81–815 has been inadequately funded in recent years. The 1969 appropriation, for example, was only for 19 percent of authorization. Requests for 1967 still haven't been funded. It is imperative that more attention be given to funding this legislation, particularly for those sections under which disadvantaged students, such as Indians, are suffering with inadequate facilities. It is difficult enough to teach children with special needs, without having to face the added difficulty of inadequate facilities.

NACIE *Concurs.*

FROM: Indian Education: A National Tragedy—A National Challenge

60. The subcommittee recommends—

That in receiving funds under the set-aside provisions in the several titles of the Elementary and Secondary Education Act, the BIA should be required to prepare and submit its proposals to the Office of Education for approval and should bear the same responsibility for maintenance of effort as the States.

It is evident that the BIA does not meaningfully involve the U.S. Office of Education in its programs under the Elementary and Secondary Education Act for which BIA receives funds administered by OE. States receiving these funds submit to OE their State plans which indicate that the funds are being used in accord with the law and that the ESEA funds are supplementing, not supplanting, State and local expenditures; the BIA should follow a similar procedure.

NACIE *Concurs.*

FROM: **Between Two Milestones**

Recommendation No. 2

Whereas, the local community constitutes the fundamental level at which individuals, families, and other social groups act out their social, political and economic interdependence, *and* Whereas, the local community is the institution which preserves, adapts, and reinforces group mores and cohesiveness, *and* Whereas, people have the right to join together to provide educational opportunities for their children, *and* Whereas, there exists a special relationship between the Federal Government and Native people, *and* Whereas, Indian people do exist in both rural and urban communities:

It is recommended, That, social change in the Native community be officially accepted by all agencies of the Federal Government, *and* That, for educational purposes, native tribes, clans, bands, chapters, villages, land claims settlement corporations, or nonprofit educational corporations of parents, who trace their lineage to several traditional Native nations be recognized by the Federal Government as agencies eligible to contract with the Federal Government for the support of the education of their children, *and* That, guidelines for recognition and appropriation of support be legislated by the Congress of the United States.

NACIE recommends: *All federally recognized tribes retain their direct relation with the agencies of the Federal Government and those Federal trust and treaty responsibilities will not be delegated to the State and local agencies. There can be a dual relationship by tribe with Federal and State agencies but the Federal Government will not be relieved itself of its trust and treaty responsibilities.*

FROM: **Between Two Milestones**

Recommendation No. 11

Whereas, the areas of technical, vocational and related skills are expanding rapidly and now offer career opportunities which were not previously available to Indian students, *and* Whereas, Indian students have traditionally been educated for selected technical and vocational careers that have not reflected the diversity of vocational opportunities nor specific skills demanded in the society in which they must compete, *and* Whereas, the need for skilled technicians and tradesmen is severe on communities and other Indian communities, *and* Whereas, a shift of national priorities is reflected in increased Federal and State funding for vocational and technical education:

It is recommended, That, Federal agencies provide human and financial resources for training Indian people in all facets of vocational and technical education, *and* That, Federal agencies pool their efforts to have maximum impact in supplying trained Indian citizens in various occupations.

NACIE recommends: *Improved planning is necessary in order to avoid "dead-end" training and education—being prepared for occupations that do not exist. The job bank concept should be investigated.*

FROM: **Between Two Milestones**

Recommendation No. 12

Whereas, American Indians and Alaska Natives have one of the highest dropout rates of any group of people in the United States, *and* Whereas, educational achievement for Native students remains a critical issue, *and* Whereas, traditional adult basic and continuing programs have not met the needs of Indian people;

It is recommended That, additional Federal resources be allocated to adult basic and continuing education, *and* That, these programs be redesigned with more mandatory involvement of Indian people at the local level to increase their effectiveness in terms of existing opportunities.

NACIE *Concurs.*

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Recommendation No. 13

Whereas, there are American and Alaskan Native children attending public Federal, and mission schools who are in dire need of special education programs to deal with physical handicaps, emotional problems, mental retardation, and learning difficulties, *and* Whereas, human, plant facility, and funding resources have been inadequate or nonexistent by Federal and State governments to accommodate these Indian children, *and* Whereas, special educational training programs for professional and paraprofessional staff have not been developed in colleges and universities with a specific focus on the problems of Native children;

It is recommended That, the Federal and State governments, schools, universities, and colleges make a concerted effort to provide the human and financial resources to develop comprehensive programs and special facilities to meet the special educational needs of American Indians and Alaskan Indian children, *and* That, such resources be extended to include follow-through programs as the children become adults by providing resources in developing skills and job placement, because special education is a continuing process.

NACIE recommends: *We must provide for educational programs to assimilate the experience of our senior citizens in the Indian community and to include them in our society.*

THE INDIAN
EDUCATIONAL SYSTEM

FROM: **Indian Education: A National Tragedy—
A National Challenge**

III. THE ROLE AND FUTURE OF FEDERAL SCHOOLS

A. An Exemplary School System

In the past, Federal Indian schools have primarily served as agents of coercive assimilation into the dominant culture and to a substantial extent they are still playing that role. They have been chronically underfunded and understaffed and have largely failed to recognize the special needs of their students. Only recently have they been conceptualized as a potential national resource.

21. The subcommittee recommends—

That the Federal Indian School System be developed into an exemplary system, which can play an important role in improving education for Indian children. Federal schools should develop exemplary programs in at least these three areas:

1. Outstanding innovative programs for the education of disadvantaged children.

Bilingual and bicultural education programs.

3. Therapeutic programs designed to deal with the emotional, social and identity problems of Indian youth.

In order to implement this recommendation, the subcommittee notes the following areas seriously in need of immediate attention:

(a) An effort to develop more effective preservice and in-service training for teachers and administrators.

(b)(i) Substantial upgrading of teacher personnel practices, including recruitment, certification, and retention. The subcommittee received many expressions of concern that despite the devotion and ability of most teachers, there are significant problems regarding the professional capacity and effectiveness of numbers of teachers in BIA schools.

Civil service practices should be modified when they conflict with a local school board's authority to discharge the responsibilities traditionally held by local public school boards. Local Indian boards should have traditional local powers to hire and release faculty.

(ii) The development of model environments and incentives for attracting and holding outstanding teachers and administrators. The teacher turnover rate is a very serious problem in schools serving Indian children and the Federal bureaucracy is at its worst in undermining initiative, imagination, candor, and professionalism. The fundamental importance of attracting and holding outstanding teachers and administrators throughout the Federal school system demands that a major effort be undertaken outside of BIA to study the existing system and to recommend how this goal can be achieved.

(c) Pupil personnel services have been greatly neglected by schools serving Indian children, due to a lack of adequate funding. Yet this is an area of great need. There must be a very substantial expansion of personnel and programs in the areas of special education, guidance, and counseling and psychological services.

(d) Model prevocational and vocational training programs should be developed at the secondary and postsecondary levels, and there should be innovative programs demanding the best of students, including cooperative education programs, and aiming at the job market of the future, not the past.

(e) Major upgrading of skills and competence in the teaching of English, with emphasis on bilingual educational programs. More attention should be given to teaching Indian languages as a second language to school personnel on Indian reservations.

(f) A general strengthening and upgrading of all academic programs utilizing the best educational techniques and innovations available.

(g) A substantial investment should be made in sophisticated research and development activities serving a number of experimental programs and schools. Part of this can best be done by contracting with outside agencies, but it is essential for Indian schools to be thoroughly self-critical, self-evolving institutions. This requires local expertise and some research and development capability.

(h) Major efforts should be made to involve Indian adults and communities in the work of and control over the schools. This should not be done on a token or patron basis, but rather by establishing actual community school boards and contracting the operation of school back to Indian groups and communities.

(i) The overall budget for the Federal school system has been grossly inadequate. This is in large part due to the inability of BIA to establish appropriate educational standards and calculate the real cost involved in providing an equal educational opportunity for Indian students. The eduction budget of BIA needs a complete overhaul and adequate standards must be developed. It can be assumed that actual costs must double or triple if an effective program is to be developed.

(j) The BIA should establish a procedure for planning and evaluating education programs for Indian children. This procedure should be designed to ascertain specific educational needs of Indian children, set forth goals in meeting those needs, plan programs and projects designed to achieve those goals, and evaluate the effectiveness of those programs and projects in achieving the purposes for which they are established.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy—A National Challenge**

B. Special Problems

1. ELEMENTARY BOARDING SCHOOLS

22. The subcommittee recommends—.

> **That as rapidly as possible, the elementary boarding schools on the Navajo Reservation should be replaced by day schools.**

The subcommittee believes that elementary boarding schools are emotionally damaging to the children who attend. Two steps should be taken to deal with this problem during the period of time needed for phasing them out:

(a) A thorough investigation of these schools should be conducted by a team of mental health and child development professionals to determine how the school environment and practices can be substantially improved.

(b) A massive effort should be undertaken to improve these schools while they are being phased out. To begin with, the ratio of dormitory aides to children supervised should be lowered to 1:15 or less and the aides must be well-trained.

NACIE *Concurs.*

24. The subcommittee recommends—

That the present distribution and location of Federal boarding schools and the pattern of student placement be thoroughly reexamined by the National Indian Board of Indian Education.

The subcommittee has found that over 1,200 Alaskan natives are presently being sent to Federal boarding schools in Oregon and Oklahoma, thousands of miles from their home. In addition, we have found that over 400 Indian students from the Northwest are being sent to Federal boarding schools in Oklahoma. These placement procedures are questionable and were strongly opposed by Indian and native leaders testifying before the subcommittee.

The present distribution and location of off-reservation boarding schools should be carefully scrutinized by the National Indian Board of Indian Education. The present system owes more to historical chance and expediency than rational planning. A new rationale and plan should be developed and implemented.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

3. GUIDANCE AND COUNSELING

25. The subcommittee recommends—

That the guidance and counseling program in BIA boarding schools be substantially expanded and improved.

The guidance and counseling program in BIA schools suffers from numerous deficiencies. Presently, the guidance function is combined with dormitory, administration, and disciplinary responsibilties, many of the personnel lack professional training, and counseling services are often not available on weekends or after school hours. A major effort should be made to overcome these deficiencies.

The guidance department should contain only trained professional personnel. Guidance Department staff—other than professionals—should be recognized under a separate department to divorce completely the guidance function from the housekeeping and disciplinary responsibilities.

Guidance staff should be available to students throughout the regular schoolday, evenings, and weekends.

NACIE *Concurs.*

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32. The subcommittee recommends—

Colleges and universities should include within their counselor and teacher-training curriculum, courses designed to acquaint future teachers and counselors with the needs, values, and culture of Indian students.

Too many Indians never seek education beyond high school, or even complete high school, because of the discouragement they receive from teachers, counselors, and administrators. Many of these people simply do not understand Indian culture and values. It is essential that those persons who have such influence over Indians during their school years be knowledgeable and understandable about Indians.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

37. The subcommittee recommends—

That title III (Developing Institutions) of the Higher Education Act be strengthened so as to include recently created higher education institutions attended by Indians located on or nearby reservations as eligible for assistance under that title.

Title III of the Higher Education Act has for its purpose "to assist in raising the academic quality of colleges which have the desire and potential to make a substantial contribution to the higher education resources of our Nation but which for financial and other reasons are struggling for survival and are isolated from the main currents of academic life. * * *." Section 302 of the act provides that institutions to be aided must have been in existence for at least 5 years. However, since there has been only in very recent times an active interest in establishing such institutions for Indians, and since the Federal Government has a special responsibility for the education of Indians at the postsecondary as well as the elementary and secondary levels, it is suggested that the U.S. Commissioner of Education be authorized to waive the 5-year requirement of title III to include recently established colleges for educating Indians, such as the Navajo Community College in Many Farms, Ariz., which was established in January 1969.

NACIE recommends: *Community colleges should also receive support, and the salaries of Indian Education institutions should be commensurate with education levels elsewhere.*

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38. The subcommittee recommends—

> **That the Education Professions Development Act, Part F of section V of the Higher Education Act, and the Vocational Education Act be amended to include schools and programs operated by the Bureau of Indian Affairs.**

This recommendation should be implemented by amending sections 503(a), 504(a), 505, 552, and 553 of the Higher Education Act and section 131 of the Vocational Education Act. It would enhance the development of highly skilled personnel in all locations of Federal Indian schools and encourage young Indians to enter into the teaching profession.

The subcommittee's recommendation is also in keeping with the suggestion contained in the second annual report of the National Advisory Council on Education Professions Development, dated January 31, 1969, which stated:

Schools and programs operated by the Bureau of Indian Affairs are apparently not now technically eligible for personnel development benefits provided by the Education Professions Development Act or the Vocational Education Act. We recommend that acts providing educational personnel development programs be amended to remedy this oversight.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy—**
A National Challenge

39. The subcommittee recommends—

> **That the percentage of Teacher Corps members allocated to elementary and secondary schools operated by the Bureau of Indian Affairs be increased.**

As the law is now written, not to exceed 3 percent of Teacher Corps assignments in total may be made to Puerto Rico, the Virgin Islands, and BIA schools. The subcommittee's recommendation should be implemented by amending section 513(c)(2) of the Higher Education Act so that the BIA schools may receive not to exceed 5 percent of Teacher Corps assignments and Puerto Rico and the Virgin Islands would continue to receive, in total, not more than 3 percent of Teacher Corps members. Thus, additional Teacher Corps members could be assigned to Indian schools, thereby providing the stimulating effects which the Corps members have initiated in the past on a larger scale.

NACIE *Concurs.*

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3. ADULT EDUCATION

40. The subcommittee recommends—

(a) That an exemplary program of adult education be developed which will provide for the following:

(i) Basic literacy opportunities to all non-literate Indian adults. The goal should be to wipe out Indian illiteracy.

(ii) Opportunities to all Indian adults to qualify for a high school equivalency certificate. The goal should be to provide all interested Indian adults with high school equivalency in the shortest period of time feasible.

(iii) Surveys to define accurately the extent of the problems of illiteracy and lack of high school completion on Indian reservations.

(iv) A major research and development program to develop more innovative and effective techniques for achieving the literacy and high school equivalency goals. This would include multi-media instruction (including teaching machines, videotape, radio, and TV broadcasting) and the development of curriculum material that is practical, meaningful and interesting to the adult Indian.

(b) That the adult education program be effectively integrated with the rest of the BIA education program. The adult education program should as much as possible be placed under Indian control and contribute as well as benefit from the development of Indian controlled community schools.

A major commitment should be made to the adult education programs for American Indians. The national need for such a commitment is all too evident in the low economic status, rise in alcoholism, lack of employment capabilities, the inability of too many Indian adults to read and write, and the general lack of fulfillment of Indian adults on reservations.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy—A National Challenge**

2. RELATIONSHIP TO COLLEGES AND UNIVERSITIES

42. The subcommittee recommends—

That close ties be developed between institutions of higher education and Federal schools.

Relationship should be established, funded either by contracts or grants, to stimulate and sustain a long-term interest in improving Indian education on the part of universities and colleges. Universities should help develop new curriculum materials, train teachers and guidance personnel, conduct research, and provide continuing technical assistance.

In some instances a university or a group of universities may wish to directly operate a Federal school. Such arrangements with appropriate Indian involvement should be encouraged and adequately funded on a long-term basis.

NACIE *Concurs.*

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56. The subcommittee recommends—

That public school districts be required to demonstrate clearly they are ready for transfer of Indian students by developing programs aimed at meeting the children's special needs and involving the Indian community in the school.

School districts anticipating Indian enrollment must provide more than teachers and space for their Indian students. They must show they have developed programs aimed at meeting the special needs of Indian students. These programs should include such things as curriculums which recognize the unique character of Indian culture, teacher workshop designed to sensitize teachers to the special problems of Indian students, and provisions for meaningful Indian development in the operation of the school.

NACIE *Concurs.*

FROM: **Between Two Milestones**

Recommendation No. 7

Whereas, the knowledge and skills offered by institutions of higher education are essential in the conduct of Indian affairs, and whereas, it is important to Indian people to have non-Indians become better informed about the past, present, and future of Indian life in the context of higher education, and whereas, Indian people must have increased access to general and professional programs in established colleges and universities, *and* whereas, the emergence of Indian institutions of higher education is a new trend which promises unique orientation to the needs of Indian people, *and* whereas, the costs of higher education have risen beyond the means of most Indian students;

It is recommended That, Federal resources continue to be made available to established colleges and universities to stimulate Native studies and special professional training programs for Indian people with mandatory programmatic control shared with representatives from Indian communities, *and* That, sufficient federal resources be made available to emerging Indian institutions of higher education so that they have an adequate opportunity to demonstrate their effectiveness in meeting the needs of Native people, *and* That, the level of funding for both undergraduate and graduate Native students be increased.

NACIE recommends: *There is a major need for quality "Prep" schools and tutorial and remedial instruction.*

FROM: **Between Two Milestones**

Recommendation No. 5

Whereas, schools serving children of Native communities need to become an integral part of that community, *and* Whereas, Indian people want a choice to hire competent Indian teachers, counselors, and administrators, *and* Whereas, it is to the benefit of the Indian and non-Indian to have Native educators working in public schools which serve few, if any, Indian children, *and* Whereas, colleges and universities training teachers should have Native people represented on their staffs;

It is recommended That, Federal resources be made available to colleges and universities which have demonstrated involvement of Indian communities and organizations and which are prepared to provide quality programs with entire policy input to recruit, train, and assist in placing Native teachers, counselors, curriculum specialists, librarians, special education teachers, school administrators and other educational specialists, *and* That, an Indian organization with a research capability be employed to assess the supply and demand function for such programs.

NACIE recommends: *These programs should be funded and developed and implemented in the State or area in which the counselor/teachers, etc. will be employed.*

JOHNSON-O'MALLEY

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FROM: **Indian Education: A National Tragedy—**
A National Challenge

C. Johnson-O'Malley Act

48. The subcommittee recommends—

> **That each State applying for a Johnson-O'Malley contract should be required to submit a definite plan for meeting the needs of its Indian students.**

Too often the plans submitted by States are vague and meaningless. Specific programs are rarely outlined, and there appears to be no concerted attack on the problems of the Indian. State plans should detail the use for which Johnson-O'Malley money will be put, and explain how the JOM contribution fits into the statewide plan for helping meet the special needs of Indian students.

NACIE *Concurs.*

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50. The subcommittee recommends—

> **That Indians should be involved in the planning, executing and evaluating of Johnson-O'Malley programs. A State or district's JOM plan should be subject to the approval of the Indian participants.**

The Bureau of Indian Affairs, as a prerequisite to JOM contract approval, should require Indian participation in the planning, execution, and evaluating of JOM plans. Indians should be involved at both the local and State levels in formulating the JOM budget request, and in seeing that the plan is carried out. All proposals and plans must be approved by those Indians participating.

NACIE *Concurs.*

52. *The subcommittee recommends—*

That Johnson-O'Malley funding should not be conditioned by presence of tax-exempt land.

The criteria for approval of a Johnson-O'Malley contract should be: (*a*) an exhibited need for programs aimed at meeting the special needs of Indian students, and (*b*) a proposal which details how those needs will be met. The presence of nontaxable Indian land should not have any bearing in determining the eligibility of children for JOM money. When the law originally was passed, congressional intent was for the act to serve primarily those Indians who were "to a considerable extent mixed with the general population." That intent has not been fulfilled.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

54. The subcommittee recommends—

> **That tribes and Indian communities should be added to the list of agencies with which the Bureau of Indian Affairs can negotiate Johnson-O'Malley contracts and that full use be made of this new contracting authority to permit tribes to develop their own education projects and programs.**

The subcommittee has found that very few Indian tribes and communities have developed educational plans which identify problems and establish goals. However, the subcommittee was impressed by the fact, that Indian communities have a better understanding of their education needs and problems than the schools that serve them. The schools rarely understand the Indian community and cultural differences, and the Indian community rarely has any influence on the school. Johnson-O'Malley contracts with Indian tribes and communities could do much to break down these barriers, and place the initiative and responsibility for change and improvement in the hands of those who best understand the problems.

Johnson-O'Malley contracts with Indian tribes and communities could serve a variety of important purposes. For example, tribal surveys and factfinding efforts to determine educational needs; the development of education plans and goals; developing effective liaison between Indian parents and public schools; developing Indian education leadership; planning, funding, implementation and evaluation of special education programs for Indian children in cooperation with public school districts; education programs and projects run directly by the tribe itself (for example, summer school programs).

The basic responsibility for development of this program should be vested in the National Indian Board of Education. It will require close coordination with the development of strong Indian school boards on those reservations with Federal schools.

An important and promising precedent for this tribal-contracting approach has recently been initiated by the Indian Health Service. The Indian community health representative program is worthy of careful study by the National Indian Board of Education to determine its applicability to the field of Indian education.

NACIE *Concurs.*

FROM: **Between Two Milestones**

Recommendation No. 4

Whereas, Indian children attending public schools have rights to educational opportunity attendant upon State and Federal citizenship, *and* Whereas, the division of responsibility for the education of Indian children in public schools between the BIA and the USOE tends to inhibit program coordination and effectiveness, *and* Whereas, the Indian Education Act has created an organizational mechanism within the USOE capable of coordinating all educational efforts in the public schools;

It is recommended that, all programs involving the education of Indian people through public school organizations be administered or coordinated by the Bureau of Indian Education in USOE under the direction of a new Deputy Commissioner, *and* That, the responsibility and authority vested in the new Bureau specifically include the management and distribution of all Federal funds for Indian education.

NACIE *Concurs.*

FROM: **Between Two Milestones**

Recommendation No. 15

Whereas, educational resources allocated under the Johnson-O'Malley Act are of major importance in the education of Indian children, *and* Whereas, the utilization of these resources has been subject to recent intense criticism, *and* Whereas, there appears to be extreme differences in the utilization of these resources among the various States;

It is recommended That, a comprehensive study of the distribution and utilization of Johnson-O'Malley [1] resources among the various States be conducted, *and* that, the data collected be employed to formulate more uniform guidelines for the allocation and expenditure of these important resources.

NACIE Recommends: *The Public School systems with Indian children must have a miniature Indian curriculum of Indian studies to implement and improve the identification of Indian education.*

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[1] JOM provides for general needs of Indian children and Title IV must provide for special and specific needs of Indian children.

INDIAN CULTURE

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FROM: **Indian Education: A National Tragedy—
A National Challenge**

31. The subcommittee recommends—

> **A graduate institute of Indian languages, history, and culture should be established.**

There is at present no graduate level program encompassing the language, history, and culture of Indians. The information such an institute could disseminate, as well as the research which it would conduct, would greatly increase public knowledge and understanding of the American Indian. Such an institute established by Federal legislation, might very well be operated in conjunction with the Smithsonian Institution.

NACIE Recommends: *This is not a sensible recommendation and should not be acted upon.*

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33. The subcommittee recommends—

> **The Institute of American Indian Arts at Santa Fe, N. Mex. should be raised to the level of a 4-year college, supported by the Bureau of Indian Affairs.**

The Institute has had considerable success in instilling a cultural pride in Indian students by providing them with opportunities for creative expression. The individual-oriented programs recognize the importance of a sense of identity. By becoming a college, the Institute could provide a collegewide curriculum for Indians which considers their culture and history—something unique in higher education. The valuable lessons learned and put into practice by the Institute should be expanded into a college curriculum so that the Institute might become a model for colleges interested in developing innovative programs, such as in teacher-training, which recognize Indian needs.

NACIE Recommends: *That this institute remain as a 2-year college, and improve on their present problems.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

14. The subcommittee recommends—

> **That a major effort be undertaken immediately to (a) develop culturally sensitive curriculum materials, (b) train native teachers, and (c) promote teaching as a career among Indian youth.**

The subcommittee was shocked to find, not only the absence of bilingual materails, but the absence of hardly any culturally sensitive materials in the Federal and public schools it investigated. In many cases the materials used by the children either completely ignored the contributions of Indians to society, or presented Indians in insulting stereotypes. In some instances the teaching materials in use were totally irrelevant to the experiences of the children. In Alaska, for example, the subcommittee found schools using "Dick and Jane" readers which referred to cows, farms, cities, grass and other items completely unfamiliar to the Alaskan native. Only at the Rough Rock Demonstration School in Arizona were children being taught with materials related to their native culture and designed by Navajos themselves. Nothing underscores more the insensitivity of the present paternal method of educating Indian children than the continued absence of bicultural materials. This situation must be corrected immediately.

In addition, new programs to train native teachers are required immediately, as is a program to encourage Indians to undertake teaching careers. The number of Indian teachers in public schools in infinitesimal, and even in the all-Indian BIA schools Indian teachers constitute only about 16 percent of the teaching staff. The percentage of these Indian teachers who teach children of their own tribe and language is smaller yet. A special effort should be made to recruit Indians into teacher-training programs, and a means should be established whereby Indian teenagers would be informed early in their secondary school years of college opportunities in teacher training.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy—**
A National Challenge

29. The subcommittee recommends—

> **That the Bureau of Indian Affairs should contract with colleges and universities [and community colleges and prep schools] to develop programs to help meet the special concerns of college students.**

There is a definite need for a core curriculum in Indian history and culture which touches upon the many aspects of Indian life. Skill-building programs which consider the Indians' culture and language are needed. The Johnson-O'Malley Act should be utilized to contract for such programs.

NACIE *See recommended change [ ].*

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53. The subcommittee recommends—

> **That the expanded contracting authority authorized by the act's 1936 amendment should be utilized for the development of curriculum relevant to Indian culture and the training of teachers of Indian students.**

Only in recent years has the Bureau shown some creativity in utilization of the expanded contracting authority. This amendment offers far greater potential for innovative educational projects than has been demonstrated. It could be a very good vehicle, for example, to improve curriculum for Indian students, and to train teachers who will be teaching Indian students. Universities and nonprofit corporations might be contracted to develop special curriculums which recognize Indian culture, and to develop and institute teacher-training programs which include a recognition that teachers of Indian students have special responsibilities.

NACIE *Concurs.*

FROM: "BETWEEN TWO MILESTONES"

Recommendation No. 6

Whereas, the revival of interest in Indian history and culture is a vital part of an effort by Native people to gain a meaningful social perspective for their lives somewhere between a romantic, but unrealistic, return to the past and a complete, but artificial assimilation with transformed European culture, *and* Whereas, many of the educational materials are historically incorrect and prejudicial to the image of Indian people;

It Is Recommended That, Federal resources be allocated to Indian acquisitions for the development of instructional materials, curriculum and energy resources which will lead to unbiased perceptions of Indian history and culture by both Indian and non-Indian students in pursuit of Indian studies and for incorporation into the study of religion, art, music, dance, performing arts, history, philosophy and other disciplines of study at elementary, secondary and college levels.

NACIE *Concurs.*

LOCAL CONTROL
AND
ACCOUNTABILITY

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FROM: **Indian Education: A National Tragedy—
A National Challenge**

49. The subcommittee recommends—

That better accountability and evaluation procedures should be instituted at the State and local levels.

The Bureau of Indian Affairs should require improved evaluation components at the State and local levels. The only accountability measures now are a State's annual report, which vary tremendously in quality and content. Some uniform data collection technique should be established, and States should be required to report the results of their JOM programs rather than just the fact that such programs were in operation.

It is a fair measure of the BIA's lack of concern for the education of Indian children in public schools that the subcommittee could find no evidence of any serious effort by the BIA to assure that JOM funds were used for educational programs for Indian students. The funds are given to local public school districts, which often use the money for general educational purposes rather than the special needs of Indian students. The subcommittee cannot emphasize too strongly that these funds are to be used for the education of Indian children only, and that the BIA should condition their release upon that purpose with proper accountability.

NACIE *Concurs.*

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57. The subcommittee recommends—

That Bureau of Indian Affairs should hold the public schools accountable for the education of Indian students transferred from BIA schools.

The performance of the Indian student in the public school should be the test as to whether the school is fulfilling its educational obligation. The Bureau should make periodic checks of Indian performance data in public schools, and that data should be reported to local and State school authorities, the Indian tribes or communities affected, and the

U.S. Office of Education when OE programs are involved. The dearth of such data now makes it extremely difficult to assess Indian performance so that the problem areas can be identified and dealt with.

NACIE *Concurs.*

V. OTHER MATTERS

58. The subcommittee recommends—

That State and local communities should facilitate and encourage Indian community and parental involvement in the development and operation of public education programs for Indian children.

The subcommittee especially noted a lack of participation, due to several causes, of Indians in education operations in the communities. In several localities, where a substantial number of Indian youngsters are attending public schools, Indian involvement in the operations of the schools attended by their children was practically or entirely nonexistent. There are opportunities which can be utilized to enhance this participation, however, as evidenced by what transpired in New Mexico where local school boards were enlarged to accommodate Indian members. Other means to enlarge Indian parental involvement are also available. It is generally felt, it might be added, that such parental involvement will have a beneficial effect on the attitude of Indian children toward school and their learning.

In States where there are a significant number of Indian children attending public schools, an Indian should be engaged by the State educational agency to advise on Indian education problems and to participate and give oversight to Indian schooling. This is now being done, for example, in California and Minnesota.

Finally, Indians should be involved in State and local educationally advisory groups, especially those established for Federal programs.

NACIE *Concurs.*

FROM: **Between Two Milestones**

Recommendation No. 3

Whereas, the family is the basic unit of social structure in American Indian and Alaskan Native culture, *and* Whereas, the family is the most important social institution for the rearing and nurturing of Indian children;

It is recommended That, Federal implementation of self-determination take policy directions and procedural forms which preserve, support, and reinforce the American Indian and Alaskan Native family, That, boarding schools as a normative education process for Native children be phased out as the result of road construction and decentralization programs until the boarding school experience remains only a minor porgram component of some days schools to accommodate exchange students or local students with special personal circumstances, *and* That, the emerging day schools be governed by organization structures which encourage and require direct and elected representative community educational government.

NACIE *Concurs.*

CIVIL RIGHTS

FROM: **Indian Education: A National Tragedy— A National Challenge**

9. The subcommittee recommends—

> **The Civil Rights Enforcement Office of the Department of Health, Education, and Welfare should investigate discrimination against Indians in schools receiving Federal funds. Furthermore, the Civil Rights Commission should investigate the general problem of discrimination against Indians.**

The subcommittee found, and has included in its reports, numerous allegations of discrimination against Indians in public schools receiving Federal funds. The evidence indicates that there are possible violations of title VI of the Civil Rights Act. The Department of Health, Education, and Welfare, the Civil Rights Commission, and the Department of Justice, all have jurisdiction to investigate these instances, yet none is giving sufficient attention to them. They are urged to investigate such cases and act as appropriate.

The subcommittee also believes that the Civil Rights Commission should examine the application of the 1968 Indian Bill of Rights, and other matters relevant to its statutory authority relating to discrimination against Indians, at the earliest practicable time.

NACIE *Concurs.*

FROM: **Between Two Milestones**

Recommendation No. 10

Whereas, American Indians and Alaskan Natives are citizens of the United States and enjoy all rights and privileges, *and* Whereas, the Indian people have a unique relationship with the Federal Government through treaties, statutes, executive orders, *and* Whereas, such treaties, statutes, and executive orders conflict with other Federal statutes such as the Civil Rights Act of 1964, *and* Whereas, Federal funds are appropriated for education and disbursed to public schools, universities and colleges, State and Federal agencies and profit and non-profit organizations subject to the conditions the Civil Rights Act, *and* Whereas, educational funds must also be expended to meet the educational needs of Native citizens residing in either on- or off-reservation communities;

It is recommended That, legal clarification be immediately undertaken to resolve the status of Indian children in school desegregation plans of districts located on or adjacent to reservations; *and* That, such clarification provide that desegregation plans being enforced by the Federal Government through Civil Rights Act of 1964 not apply to Native people, *and* That, until such time as the Federal Government officially clarifies the implications of the Civil Rights Act for Native people, desegregation plans not be forced upon or accepted by reservation or nonreservation Native communities.

NACIE Recommends: *Title IV should be exempt from the Civil Rights Act.*

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HEALTH

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FROM: **Indian Education: A National Tragedy— A National Challenge**

8. The subcommittee recommends—

(a) That the Division of Indian Health conduct nutritional surveys of Indian and Alaskan native groups to identify the nature, extent, and location of nutritional problems in order to confirm program needs and establish priorities;

(b) That officials of the Bureau of Indian Affairs and Department of Agriculture involved with food programs affecting Indians work with Indian Health Division personnel in implementing recommendations evolving from the nutritional surveys;

(c) That a major effort be made to develop health education programs for elementary and secondary schools educating Indians. Such programs would seek to help Indians identify and diagnose nutrition problems and to encourage nutrition education.

(d) That the Senate Select Committee on Nutrition and Human Needs include as a specific part of its work an analysis of the effectiveness of Federal food programs in Indian schools and among Indian families.

(e) That the Bureau of Indian Affairs not reduce the school lunch program provided with Johnson-O'Malley funds unless it assures that every student who would receive a lunch under Johnson-O'Malley will receive a school lunch under some other program.

The subcommittee found severe problems of hunger and malnutrition among many of the Indians and Alaskan natives it visited. These problems result directly in poor Indian performance in the classroom.

Gross malnutrition, such as kwashiorkor, marasmus, and severe vitamin deficiencies, occurs in several Indian groups, particularly among Navajos and other Arizona tribes. Mild and moderate nutritional deficiencies are relatively common among Indians. The subcommittee heard testimony, for example, that between 1963 and 1967 the Indian hospital in Tuba City, Ariz., admitted 616 children with malnutrition, 587 for retarded growth, 15 with kwashiorkor, and 29 with marasmus.

Research has indicated that severe malnutrition has a definite effect upon the learning potential of children. In some cases, permanent brain damage is the result. Studies in several countries have shown that inadequate nutritional intakes during the first 3 years of life produces significant stunting of physical growth and irreversible stunting of mental growth and development. A large number of preschool Indian children face this possibility. Among the Navajos alone, for example, it is estimated that 12 percent of the infants hospitalized have anemia of the iron-deficiency type. It becomes essential, therefore, that malnutrition and other nutrition problems be eliminated if Indians are to escape from life-long physical and mental impairments.

This means that more data on nutrition problems of specific Indian groups is needed in order to design programs and establish priorities. All agencies involved with Indian food programs must then work together to see that nutrition needs are met. School lunch programs and commodity food programs should be examined to make sure they are supplying particular tribes or communities with the foods needed to remedy nutritional deficiencies. Breakfast programs should be instituted in schools where there is a nutritional need, and free lunches should always be available to those Indian students who cannot afford to pay. The value of a good school lunch program was evident in Alaska, where in some schools this one meal provided more than 50 percent of a student's daily food intake.

A thorough program of education in nutrition which considers the food habits and cultural practices of Indian groups is essential. Many Indians lack knowledge of proper nutrition, how to store and preserve foods, or how to purchase foods wisely. The Division of Indian Health works in this area, but their programs need additional funds and staffing. More programs should be developed for Indian elementary and secondary students which would provide them with knowledge in these areas.

Almost 25 percent of Johnson-O'Malley expenditures are currently for school lunches for Indian students. The Bureau of Indian Affairs has indicated its interest in terminating this use of Johnson-O'Malley funds and having the Department of Agriculture take over this function. The Bureau's JOM lunch program should not be reduced unless assurances are made that Indian students who would receive lunches under JOM will receive them under some other program.

The subcommittee believes the work of the Senate Select Committee on Nutrition and Human Needs has special relevance to Indian nutrition problems, and that the committee's recommendations deserve careful attention.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy— A National Challenge**

11. The subcommittee recommends—

That a comprehensive attack upon alcoholism among Indians be begun at the earliest possible time, and that it include (a) coordinated medical, paramedical, educational, psychiatric, social, and rehabilitation services, both public and private, including nonmedical and nonprofessional personnel as appropriate (b) strong prevention programs, relying upon concerted public education efforts; and (c) concerted efforts to identify and deal with the causes of Indian alcoholism.

Alcoholism is a pressing problem among American Indians today. Yet it has failed to attract the attention it deserves. Both Government agencies and Indians themselves have been reluctant to recognize the severity of the problem, and surprisingly few attempts have been made to collect the data necessary for adequate problem definition and analysis.

The consequences of our failure to act are many, and include the physical and social impairment of large numbers of Indian adults; the severe disorganization of many Indian families and communities; exceedingly high accident rates; alarming numbers of homicides, suicides, and assaults; the failure of Indian children in public schools; and the placement of large numbers of Indian children in boarding schools. The cost to the taxpayer of providing medical care, welfare, and police services to deal with the excessive drinking problem is obviously high. If alcoholism could even be partially alleviated, a significant amount of scarce public resources could be conserved for other pressing needs.

Alcoholism is, of course, not a problem for Indians alone. It is a major public and mental health problem for millions of Americans. We are, as a nation, learning more and more about effective prevention and treatment methods. What we do know, now, we should make available to American Indians.

The Division of Indian Health of the U.S. Public Health Service conducts a number of alcoholism prevention and treatment programs for Indians. The subcommittee was dismayed to discover that Johnson-O'Malley funds, to be used for educational and health services for Indians, are not being used for any alcoholism programs. Use of such funds should be part of an intensive effort to bring to bear all available resources to combat this problem.

NACIE *Concurs.*

FROM: **Indian Education: A National Tragedy—**
A National Challenge

2. OFF-RESERVATION BOARDING SCHOOLS

23. The subcommittee recommends—

That the National Indian Boad of Indian Education, in concert with a team of professional consultants competent in areas of personality development and mental health, should conduct a detailed investigation of the off-reservation boarding schools to determine which ones should be converted into therapeutic treatment centers. These centers would be administered by Public Health Service's Mental Health personnel in cooperation with the Bureau of Indian Affairs

Off-reservation boarding schools have generally become dumping grounds for Indian students with serious social and emotional problems. Unfortunately, there are also some students who are enrolled simply because there is no other school available to them. It is highly questionable whether or not these two groups of students should be without any plan, mixed together.

NACIE *Concurs.*

INFORMATION DISSEMINATION

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FROM: **Indian Education: A National Tragedy— A National Challenge**

30. The subcommittee recommends——

That a special effort be made to disseminate information on loans and scholarships and special programs to Indian students desiring to attend college.

There is a definite need to coordinate the information on BIA grants which are available and other grants available to Indian students. Many Indian students are never apprised of the funds available to them for higher education. Such an intensive effort could include establishment of a clearinghouse which could also inform Indians of special programs for Indian students, such as those pre-college orientation programs at Fort Lewis College in Colorado, and Dartmouth College's ABC program.

NACIE *Concurs.*

FROM: **Between Two Milestones**

Recommendation No. 8

Whereas, Native students are not adequately informed about undergraduate, graduate, and vocational scholarship opportunities in the various colleges, universities, and technical schools, *and* Whereas, there is no formal structure established for the effective dissemination of information already available;

It Is Recommended That, a central clearinghouse be established with assigned responsibility for collecting, cataloging, and disseminating information from Federal, State, tribal and private agencies, regarding the nature of opportunities and levels of support available for Native students in vocational, technical, and higher education, *and* That, regional branches be established throughout the United States to facilitate communication and the accommodation of diverse geographical needs, *and* That, application procedures to various sources be consolidated to produce a more simplified, uniform, and expeditious procedure, *and* That, part of each clearinghouse organization be a Native Student Scholarship Opportunity Committee to actively disseminate scholarship information to Indian high school and college students and recruit applicants for these opportunities.

(1) See Part II—Langone Report.

(2) NACIE Recommends: *This Council should be designated as the "Central Clearing House" and funded to carry out this function. This compliments the Council's congressional mandate.*

91st Congress
1st Session
SENATE
Report
No. 91-501

INDIAN EDUCATION: A NATIONAL TRAGEDY—A NATIONAL CHALLENGE

1969 REPORT

OF THE

COMMITTEE ON LABOR AND PUBLIC WELFARE
UNITED STATES SENATE

MADE BY ITS

SPECIAL SUBCOMMITTEE ON INDIAN EDUCATION

PURSUANT TO

S. Res. 80
(91st Cong., 1st Sess.)
(Together With Supplemental Views)

A RESOLUTION AUTHORIZING AN INVESTIGATION INTO THE PROBLEMS OF EDUCATION FOR AMERICAN INDIANS

November 3, 1969.—Ordered to be printed
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[1] Appointed to committee September 18, 1969, vice Senator Bellmon.
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DEDICATION

This report is dedicated to the memory of its first chairman, Senator Robert F. Kennedy—a man who cared deeply and spoke out.

Brave Heart

(By John Belindo, Executive Director, National Congress of American Indians)

This Brave Heart Light surrounded by Brown Faces, so sad to be themselves. We have seen him staring at primitive landscape, broken treaties and broken hearts.

The Brown Children have sung:
garbled chords of muted war-like
music from tiny buffalo robes,
"We are no longer little hops
from the hogans and pueblos,
we are no longer little pinion
hulls in a bowl."

The sun where nothing lives,
pours life into the silence of the trees.
A cedar sprouts nearby growing
in warm felicity and grace.
Brave Heart with his eyes disclosed
all the secrets of his art
astonishing the elders——
Rising on the battlefield against
his own native Stars and Stripes,
pitifully lean, crying out at the American
conscience against Sand Creek and boarding schools.
It is enchanting to hear the warrior sing:

"We will never leave the sand hills,
forests, the valleys,
we will never leave the grass,
high summits and high winds,
we will joy in the reflection of the
sunlight from the white snow."

Brave Heart often quoted a famous man:
"Men are not made for safe havens."
Nor were they always found amid the
luxuries of civilization.
We have heard Brave Heart live loyalty and bravery.
A young Irish warrior rooted in the same soil which
nourished Crazy Horse, Gall, Sequoyah, Osceola,
Joseph Brant and Pope:
Across the dour howl of Oklahoma
South Dakota, New Mexico, Florida,

page 88 blank

VIII

Maine and New York. One expects to
go on forever over and over into paradise.
Our Best Braves rode with him to a
Greater Destiny.

Warriors love a jeu de barres—coup in the afternoon,
afterward speaking eloquently to the people,
and they listened.
Whirling blankets of grey dust enshroud
the words of ancient prison-wearied Patriarchs:
White Men, shooting and stabbing while Black Kettle flew the Stars and Stripes:
White Men drunk with the clang of railroads,
devoid of reason, not wanting to hear the true
outspoken words of Brave Heart.
The war-bonneted, Brown Culture trapped in the quagmire of policy and commitment.
A way of life annihilated by the gripping forces of progress.
Spiritual law and order left to bleach on an arid ant hill,
Humaneness dying agonizingly.
America may regret her modern hatred of
the Dark people the cowboy's insolence,
our programmatic substitution for traditional values:
We may weep for wind-swept sand, dawn-crowned mesas,
the buffalo dances of Mandans and Arikaras.

Sacajeweah "danced with extravagant joy"
said Lewis and Clark in historic reflections.

Now Bird Woman has vanished on wings bearing Shoshonean
laughter accented across lifeless prairie dog mounds
filled with rusted Jefferson "peace medals."
The Mandans wail, singing chants of fatalism
on the Missouri River:
"We live in fear,
we welcome death,
our children covered with spotted red ochre,
our children covered with dirt.
We will vanish from the earth,
we will lose our bark houses,
we will lose our loved ones,
the White Man will cover us up with his smiles, his promises.
The White Man will burn
our boats, our dead.
The White Man will kill us."
Brave Heart wept and then rode away into
solitude so profound we saw only the
richness of the vegetation and wild animals.

The drum was beaten only by great men,
yea, the chant was sung throughout the camp.

So, Brown People began the procession of the calumet—
a never ending circle of peace and harmony.
We have heard his death song.
We lament Brave Heart's journey to the sea
we will never forget him.

FOREWORD

The American vision of itself is of a nation of citizens determining their own destiny; of cultural difference flourishing in an atmosphere of mutual respect; of diverse people shaping their lives and the lives of their children. This subcommittee has undertaken an examination of a major failure in this policy: the education of Indian children. We have chosen a course of learning as obvious as it has been ignored. We have listened to the Indian people speak for themselves about the problems they confront, and about the changes that must be made in seeking effective education for their children.

The responsibility for the education of Indian children is primarily in the hands of the Federal Government. Of the 160,000 Indian children in schools—public, private, mission, and Federal—one-third are in federally operated institutions. In addition, the Federal Government has a substantial responsibility for Indian children enrolled in public schools. Under the Johnson-O'Malley Act of 1934, the Secretary of the Interior was authorized to contract with States and other agencies to provide an effective education for Indian children. Last year, more than 68,000 Indian children were covered by this act. We have, moreover, committed ourselves to helping Indian education under the Elementary and Secondary Education Act, and have included Indian children in the impacted-aid formulas under Public Laws 874 and 815. To a substantial extent, then, the quality and effectiveness of Indian education is a test of this Government's understanding and commitment.

Has the Federal Government lived up to its responsibility? The extensive record of this subcommittee, seven volumes of hearings, five committee prints, and this report, constitute a major indictment of our failure.

> Drop-out rates are twice the national average in both public and Federal schools. Some school districts have dropout rates approaching 100 percent;
>
> Achievement levels of Indian children are 2 to 3 years below those of white students; and the Indian child falls progressively further behind the longer he stays in school;
>
> Only 1 percent of Indian children in elementary school have Indian teachers or principals;
>
> One-fourth of elementary and secondary school teachers—*by their own admission*—would prefer *not* to teach Indian children; and
>
> Indian children, more than any other minority group, believe themselves to be "below average" in intelligence.

What are the consequences of our educational failure? What happens to an Indian child who is forced to abandon his own pride and future and confront a society in which he has been offered neither a place nor a hope? Our failure to provide an effective education for the American Indian has condemned him to a life of poverty and despair.

Fifty thousand Indian families live in unsanitary, dilapidated dwellings, many in huts, shanties, even abandoned automobiles;

The average Indian income is $1,500, 75 percent below the national average;

The unemployment rate among Indians is nearly 40 percent—more than 10 times the national average;

The average age of death of the American Indian is 44 years; for all other Americans it is 65;

The infant mortality rate is twice the national average; and

Thousands of Indians have migrated into cities only to find themselves untrained for jobs and unprepared for urban life. Many of them return to the reservation more disillusioned and defeated than when they left.

These cold statistics illuminate a national tragedy and a national disgrace. They demonstrate that the "first American" has become the "last American" in terms of an opportunity for employment, education, a decent income, and the chance for a full and rewarding life.

There are no quick and easy solutions in this tragic state of affairs; but clearly, effective education lies at the heart of any lasting solution. And that education should no longer be one which assumes that cultural differences mean cultural inferiority. The findings and recommendations contained in this report are a call for excellence, a reversal of past failures, and a commitment to a national program and priority for the American Indian equal in importance to the Marshall plan following World War II.

Many people have made major contributions to the work of the subcommittee and its final report. Senator Robert F. Kennedy, Senator Wayne Morse, and Senator Ralph Yarborough have all served as chairman of the subcommittee, and contributed their vision and passionate concern to its endeavors. The subcommittee has benefited greatly from the great interest and good counsel of its members on the minority side.

This has truly been a bipartisan effort which is clearly reflected in the unanimous agreement on 59 out of the 60 subcommittee recommendations.

Despite a series of tragic events and unavoidable delays, the subcommittee has carried out an extensive schedule of field investigations and hearings. It has provided a mandate and a blueprint for change, so that the American Indian can regain his rightful place in our society.

I would particularly like to express my appreciation to the staff director of the subcommittee, Mr. Adrian L. Parmeter, who has served the subcommittee with great commitment and competence from the beginning.

EDWARD M. KENNEDY,
Chairman, Special Subcommittee on Indian Education.

OCTOBER 30, 1969.

SUMMARY

For more than 2 years the members of this subcommittee have been gaging how well American Indians are educated. We have traveled to all parts of the country; we have visited Indians in their homes and in their schools; we have listened to Indians, to Government officials, and to experts; and we have looked closely into every aspect of the educational opportunities this Nation offers its Indian citizens.

Our work fills 4,077 pages in seven volumes of hearings and 450 pages in five volumes of committee prints. This report is the distillate of this work.

We are shocked at what we discovered.

Others before us were shocked. They recommended and made changes. Others after us will likely be shocked, too—despite our recommendations and efforts at reform. For there is so much to do—wrongs to right, omissions to fill, untruths to correct—that our own recommendations, concerned as they are with education alone, need supplementation across the whole board of Indian life.

We have developed page after page of statistics. These cold figures mark a stain on our national conscience, a stain which has spread slowly for hundreds of years. They tell a story, to be sure. But they cannot tell the whole story. They cannot, for example, tell of the despair, the frustration, the hopelessness, the poignancy, of children who want to learn but are not taught; of adults who try to read but have no one to teach them; of families which want to stay together but are forced apart; or of 9-year-old children who want neighborhood school but are sent thousands of miles away to remote and alien boarding schools.

We have seen what these conditions do to Indian children and Indian families. The sights are not pleasant.

We have concluded that our national policies for educating American Indians are a failure of major proportions. They have not offered Indian children—either in years past or today—an educational opportunity anywhere near equal to that offered the great bulk of American children. Past generations of lawmakers and administrators have failed the American Indian. Our own generation thus faces a challenge—we can continue the unacceptable policies and programs of the past or we can recognize our failures, renew our commitments, and reinvest our efforts with new energy.

It is this latter course that the subcommittee chooses. We have made 60 separate recommendations. If they are all carried into force and effect, then we believe that all American Indians, children and adults, will have the unfettered opportunity to grow to their full potential. Decent education has been denied Indians in the past, and they have fallen far short of matching their promise with performance. But this need not always be so. Creative, imaginative, and above all, relevant educational experiences can blot the stain on our national conscience. This is the challenge the subcommittees believes faces our own generation.

This Nation's 600,000 American Indians are a diverse ethnic group. They live in all 50 States and speak some 300 separate languages. Four hundred thousand Indians live on reservations, and 200,000 live off reservations. The tribes have different customs and mores, and different wants and needs. The urban Indian has a world different from that of the rural Indian.

Indian children attend Federal, public, private, and mission schools. In the early days of this republic, what little formal education there was available to Indians was under the control of the church. Gradually, however, as the Nation expanded westward and Indian nations were conquered, the treaties between the conquering United States and the defeated Indian nation provided for the establishment of schools for Indian children. In 1842, for example, there were 37 Indian schools run by the U.S. Government. This number had increased to 106 in 1881, and to 226 in 1968.

This pattern of Federal responsibility for Indian education has been slowly changing. In 1968, for example, the education of Indian children in California, Idaho, Michigan, Minnesota, Nebraska, Oregon, Texas, Washington, and Wisconsin was the total responsibility of the State and not the Federal Government.

In 1968, there were 152,088 Indian children between the ages of 6 and 18. 142,630 attended one type of school or another. Most of these 61.3 percent—attended public, non-Federal schools with non-Indian children. Another 32.7 percent were enrolled in Federal schools, and 6.0 percent attended mission and other schools. Some 6,616 school-age Indian children were not in school at all. The Bureau of Indian Affairs in the Department of the Interior, the Federal agency charged with managing Indian affairs for the United States, was unable to determine the educational status of some 2,842 Indian children.

The Bureau of Indian Affairs operates 77 boarding schools and 147 day schools. There are 35,309 school-age Indian children in these boarding schools, and 16,139 in the day schools. Nearly 9,000 of the boarding-school children are under 9 years old.

In its investigation of "any and all matters pertaining to the education of Indian children" (S. Res. 165, August 31, 1967), the subcommittee thus was compelled to examine not only the Federal schools, but the State and local public schools and the mission schools as well.

What concerned us most deeply, as we carried out our mandate, was the low quality of virtually every aspect of the schooling available to Indian children. The school buildings themselves; the course materials and books; the attitude of teachers and administrative personnel; the accessibility of school buildings—all these are of shocking quality.

A few of the statistics we developed:

> Forty thousand Navajo Indians, nearly a third of the entire tribe, are functional illiterates in English;
>
> The average educational level for all Indians under Federal supervision is 5 school years;
>
> More than one out of every five Indian men have less than 5 years of schooling;
>
> Dropout rates for Indians are twice the national average;
>
> In New Mexico, some Indian high school students walk 2 miles to the bus every day and then ride 50 miles to school;

The average age of top level BIA education administrators is 58 years;

In 1953 the BIA began a crash program to improve education for Navajo children. Between then and 1967, supervisory positions in BIA headquarters increased 113 percent; supervisory positions in BIA schools increased 144 percent; administrative and clerical positions in the BIA schools increased 94 percent. Yet, teaching positions increased only 20 percent;

In one school in Oklahoma the student body is 100-percent Indian; yet it is controlled by a three-man, non-Indian school board.

Only 18 percent of the students in Federal Indian schools go on to college; the national average is 50 percent;

Only 3 percent of Indian students who enroll in college graduate; the national average is 32 percent;

The BIA spends only $18 per year per child on textbooks and supplies, compared to a national average of $40;

Only one of every 100 Indian college graduates will receive a masters degree; and

despite a Presidential directive 2 years ago, only one of the 226 VBIA schools is governed by an elective school board.

These are only a few of the statistics which tell the story of how poor the quality of education is that American Indians have available to them. Running all through this report are many others, which are some measure of the depth of the tragedy. There are, too, specific examples of visits we made to various facilities in the Indian education system. These are two lengthy to summarize; however, the subcommittee believes that their cumulative effects is chilling.

We reacted to our findings by making a long series of specific recommendations. These recommendations embrace legislative changes; administrative changes; policy changes; structural changes—all of which are geared to making Indian education programs into models of excellence, not of bureaucratic calcification.

We have recommended that the Nation adopt as national policy a commitment to achieving educational excellence for American Indians. We have recommended that the Nation adopt as national goals a series of specific objectives relating to educational opportunities for American Indians. Taken together, this policy and these goals are a framework for a program of action. Clearly, this action program needs legislative and executive support if it is to meet its promise. Most of all, however, it needs dedicated and imaginative management by those Federal officials, and State and local officials as well, who have the principal responsibilities for educating American Indians.

We have recommended that there be convened a White House Conference on American Indian Affairs. We have recommended—although not unanimously—that there be established a Senate Select Committee on the Human Needs of American Indians. We have recommended the enactment of a comprehensive Indian education statute, to replace the fragmented and inadequate education legislation now extant. We have recommended that the funds available for Indian education programs be markedly increased

One theme running through all our recommendations is increased Indian participation and control of their own education programs. For far too long, the Nation has paid only token heed to the notion that Indians should have a strong voice in their own destiny. We have made a number of recommendations to correct this historic, anomalous paternalism. We have, for example, recommended that the Commissioner of the BIA be raised to the level of Assistant Secretary of the Department of Interior; that there be established a National Indian Board of Indian Education with authority to set standards and criteria for the Federal Indian schools; that local Indian boards of education be established for Indian school districts; and that Indian parental and community involvement be increased. These reforms, taken together, can—at last—make education of American Indians relevant to the lives of American Indians.

We have recommended programs to meet special, unmet needs in the Indian education field. Culturally-sensitive curriculum materials, for example, are seriously lacking; so are bi-lingual education efforts. Little educational material is available to Indians concerning nutrition and alcoholism. We have developed proposals in all these fields, and made strong recommendations to rectify their presently unacceptable status.

The subcommittee spent much time and devoted considerable effort to the "organization problem," a problem of long and high concern to those seeking reform of our policies toward American Indians. It is, in fact, two problems bound up as one—the internal organization of the Bureau of Indian Affairs, and the location of the Bureau within the Federal establishment. We made no final recommendation on this most serious issue. Instead, because we believe it critically important that the Indians themselves express their voices on this matter, we have suggested that it be put high on the agenda of the White Houe Conference on American Indian Affairs. Because, as we conceive it, this White House Conference will be organized by the Indians themselves, with the support of the National Council on Indian opportunity, it is entirely appropriate that this organization problem be left for the conference.

In this report, we have compared the size and scope of the effort we believe must be mounted to the Marshall plan which revitalized postwar Europe. We believe that we have, as a Nation, as great a moral and legal obligation to our Indian citizens today as we did after World War II to our European allies and adversaries.

The scope of this subcommittee's work was limited by its authorizing resolution to education. But as we traveled, and listened, and saw, we learned that education cannot be isolated from the other aspects of Indian life. These aspects, too, have much room for improvement. This lies in part behind the recommendation for a Senate Select Committee on the Human Needs of American Indians. Economic development, job training, legal representation in water rights and oil lease matters—these are only a few of the correlative problems sorely in need of attention.

In conclusion, it is sufficient to restate our basic finding: that our Nation's policies and programs for educating American Indians are a national tragedy. They present us with a national challenge of no small proportions. We believe that this report recommends the proper steps to meet this challenge. But we know that it will not be met without strong leadership and dedicated work. We believe that with this leadership for the Congress and the executive branch of the Government, the Nation can and will meet this challenge.

91st Congress } SENATE { Report
2d Session } { No. 91-501

INDIAN EDUCATION: A NATIONAL TRAGEDY—A NATIONAL CHALLENGE

November 3, 1969.—Ordered to be printed
(Filed under authority of the order of the Senate of November 3, 1969)

Mr. Kennedy, from the Committee on Labor and Public Welfare, submitted the following

REPORT

together with

SUPPLEMENTAL VIEWS

INTRODUCTION

A. Background

1. GENESIS OF THE SUBCOMMITTEE

An effort to "examine, investigate, and make a complete study of any and all matters pertaining to the education of Indian children" was initiated by the Senate Committee on Labor and Public Welfare late in the first session of the 90th Congress. Senate Resolution 165, agreed to on August 31, 1967, authorized the inquiry.

Through subsequent resolutions, the inquiry was extended from March 15, 1968, through January 31, 1969. Senate Resolution 80 continued the extension of the subcommittee, from February 1, 1969, through July 1, 1969. A memorandum dated January 30, 1968, from Senator Edward M. Kennedy, chairman of the Special Subcommittee on Indian Education, to Senator Everett Jordan, chairman of the Committee on Rules and Administration, explained the need for additional time:

> Due to a series of tragic events and unavoidable delays, the subcommittee has been unable to maintain its original timetable and important work has not been completed. The subcommittee's planned fieldwork and hearings in Alaska last spring were canceled due to the death of Dr. Martin Luther King. The tragic loss of the subcommittee's chairman in June and the subsequent election defeat of its second

> chairman, Senator Wayne Morse, resulted in additional cancellations and delays. Two major hearings remain to be completed * * * fieldwork remains to be done * * *

Senate Resolution 227, agreed to on July 29, 1969, amended Senate Resolution 80 to extend until November 1, 1969, the time for the preparation of the Subcommittee's report and recommendations.

The creation of the Special Subcommittee on Indian Education may be traced to hearings conducted by the Education Subcommittee of the Senate Committee on Labor and Public Welfare in April 1966, to hear testimony regarding proposed amendments to the Elementary and Secondary Education Act of 1965. One amendment under consideration proposed extending the programs and services under ESEA, specifically those available through titles I, II, and III of the act, to Indian children enrolled in Federal schools operated by the Bureau of Indian Affairs. A question was posed by members of the subcommittee regarding the advisability of transferring the responsibility for the education of Indian children from the Bureau of Indian Affairs to the Department of Health, Education, and Welfare. HEW and the Department of the Interior agreed to conduct a joint inquiry into that question.

This interdepartmental report was received by the Subcommittee on Education in May of 1967. It recommended that no transfer be made, and cited the recently improved coordination between the two Departments as reasons.

On July 10, 1967, Senator Paul Fannin, in a letter to Senator Wayne Morse, chairman of the Education Subcommittee, urged the establishment of a Special Subcommittee on Indian Education to supplement the work of Senator Morse's Subcommittee on Education. Senator Fannin's suggestion received the enthusiastic backing of Senator Morse and Senator Lister Hill, and the result was S. Res. 165, authorizing the special subcommittee. Senator Robert Kennedy accepted chairmanship of this new subcommittee upon its establishment.

In the meantime, the Education Subcommittee approved the Indian amendment to the ESEA, but limited the authorization to 1 year. Senate Report No. 1674 explained the decision in these words:

> The committee has limited the authorization under titles I, II, and III for the education of Indians by the Bureau of Indian Affairs for 1 year, in contrast to other authorizations in the bill which are for 2 years. This 1 year authorization will give the committee an opportunity to consider in depth next year the education of Indians with a view to studying the transfer of control of such Indian education from the Bureau of Indian Affairs.
>
> The committee feels that a thorough, professional study of Indian education by a qualified, independent agency is long overdue. Such a study was authorized by Public Law 702 of the 83d Congress, but unfortunately, no funds have been appropriated to activate the project. There is no question that Indian children should receive consideration under Federal aid to education programs equal to that of other disadvantaged groups. After more than a century of Federal paternalism, some 400,000 American Indian citizens remain trapped

in a web of illiteracy and poverty. For example, 75 percent of adult Navajos have not learned to speak English; 15 percent of school-age Navajos are not in school. Clearly, the situation merits the special consideration which the committee intends to give it next year.

2. RATIONALE FOR SUBCOMMITTEE INVESTIGATION

The approach which the subcommittee was to take, and the areas of concern it was to outline for its attention are evident in the memorandum written by Senator Robert Kennedy to the chairman of the Committee on Rules and Administration, Senator B. Everett Jordan. Writing on January 30, 1968, "to briefly state the need for extending the authorization of the Subcommittee on Indian Education from February 1, 1968, to January 31, 1969," Senator Kennedy referred to the focus of subcommittee concern as expressed in his opening statement at the committee's first hearing:

> To a substantial extent, the quality and effectiveness of Indian education is a test of this Government's understanding and commitment. The few statistics we have are the most eloquent evidence of our own failure: Approximately 16,000 children are not in school at all; dropout rates are twice the national average; the level of formal education is half the national average; Indian children, more than any other group, believe themselves to be "below average" in intelligence; Indian children in the 12th grade have the poorest self-concept of all minority groups tested; the average Indian income is $1,500—75 percent below the national average; his unemployment rate is 10 times the national average.

Citing these statistics and others, Senator Kennedy continued:

> These facts are the cold statistics which illuminate a national tragedy and a national disgrace. They demonstrate that the "First American" had become the last American with the opportunity for employment, education, a decent income, and the chance for a fulfilling and rewarding life.
>
> This subcommittee does not expect to unveil any quick and easy answers to this dilemma. But clearly, effective education lies at the heart of any lasting solution. And it must be an education that no longer presumes that cultural differences mean cultural inferiority.

3. INVESTIGATIVE PROCEDURE

Following the initial exploratory hearings of the subcommittee on December 13–14, 1968, an overall plan for the subcommittee investigation was prepared which despite a number of severe dislocations and delays was carried to completion. The plan attempted to take into consideration the following facts:

1. The failure of Indian education has deep historical roots and is closely interrelated with a general failure of national policy.
2. The failure of Indian education must be examined in the context

of the most severe poverty confronting any minority group in the United States.

3. Indian education is a cross-cultural transaction. The failure must be examined in terms of its complexity of causes and psychological and social effects.

4. Indian education has evolved a controversial and unique institution—the Federal Boarding School—which deserves special attention and concern.

5. Indian education takes place in a great diversity of geographical and cultural settings.

Based on these considerations, the plan proposed the following:

1. A detailed and thorough review of the history of Indian education in the United States, with particular attention to be paid to the development of national policy and legislation.

2. A comprehensive review of the research literature with a special concern for adequate problem definition and a delineation of the various causes of failure.

3. An on-site evaluation of a substantial sample of Federal boarding schools by subcommittee staff and professional consultants.

4. A series of field investigations in various parts of the country which would serve to place educational failure in the context of severe poverty and significant cultural differences.

5. A series of field hearings in various parts of the country which would do justice to the geographical and cultural diversity of the problem, and permit a wide range of Indian spokesmen to be heard.

6. Following the field hearings, Washington hearings, which would focus on two areas of major concern to the subcommittees:

   (*a*) The extent and severity of social disorganization and emotional maladjustment in Indian communities, as both a cause and a result of educational failure—particularly boarding schools.

   (*b*) The organizational failure of the Bureau of Indian Affairs to work out a sound and effective education program and provide national leadership for improvement.

7. Utilization of professional consultants to investigate the organizational failure of the BIA education program, as well as the mental health problems of BIA boarding schools.

Perhaps the most important principle which this investigation embraced was simply soliciting, listening to, and respecting the opinions and concerns of Indian people across the United States. During its field investigations, school evaluations, field hearings, a variety of surveys, and extensive correspondence, the subcommittee has consulted with a substantial cross-section of American Indians. The ultimate test of this report is whether or not we have listened, understood, and given voice to their concerns and aspirations.

B. FACT SHEET

1. AUTHORIZING RESOLUTIONS

Senate Resolution 165	Aug. 31, 1967
Senate Resolution 218	Mar. 15, 1968
Senate Resolution 80	Jan. 29, 1969
Senate Resolution 227	July 29, 1969

2. SUBCOMMITTEE CHAIRMEN

Senator Robert F. Kennedy	Aug. 25, 1967–June 6, 1968
Senator Wayne Morse	June 14, 1968–Jan. 3, 1969
Senator Edward M. Kennedy	Feb. 1, 1969 to the present

3. PUBLIC HEARINGS

Washington, D.C	Dec. 14, 15, 1967
San Francisco, Calif	Jan. 4, 1968
Twin Oaks, Okla	Feb. 19, 1968
Flagstaff, Ariz	Mar. 30, 1968
Pine Ridge, S. Dak	Apr. 16, 1968
Portland, Oreg	May 24, 1968
Washington, D.C	Oct. 1, 1968
Do	Feb. 18, 19, 24, 1969
Do	Mar. 27, 1969
Fairbanks, Alaska	Apr. 11, 1969

4. FIELD INVESTIGATIONS AND RESEARCH REPORTS

Subcommittee members and staff have conducted field investigations in Indian communities and schools in the States of Idaho, California, Oklahoma, New Mexico, Arizona, South Dakota, Kansas, Oregon and Alaska. Subcommittee staff have conducted additional field investigations in Nebraska, Minnesota, Washington, Florida and Maine.

Staff fieldwork preceded and sometimes followed every formal investigation conducted by Senators on the Subcommittee.

In some instances the fieldwork lasted only a day, in most cases it lasted 3 to 5 days, and in a few instances the field work was done in depth over a period of 10 to 14 days. The following sample was drawn for the development of detailed investigative reports which have been published in a special committee print entitled "The Education of American Indians: Field Investigation and Research Reports," by subcommittee staff.

Northwest	Fort Hall Reservation
Southwest	Navajo Reservation, Arizona
Midwest	Minnesota, Oklahoma
West	California
North	Alaska
East	Maine, New York

5. FEDERAL BOARDING SCHOOL EVALUATIONS

Albuquerque Indian School	Albuquerque, N. Mex.
Busby Boarding School	Busby, Mont.
Chilocco Indian School	Chilocco, Okla.
Flandreau Indian School	Flandreau, S. Dak.
Haskell Institute	Lawrence, Kans.
Inter Mountain Indian School	Brigham City, Utah
Magdalena, BIA Dormitory	Magdalena, N. Mex.
Mt. Edgecumbe and Wrangell Institute	Alaska
Oglala Community School	Pine Ridge, S. Dak.
Phoenix Boarding School	Phoenix, Ariz.
Pierre Boarding School	Pierre, S. Dak.
Seneca Boarding School, Jones Academy	Eufala, Oklahoma
Sherman Institute	Riverside, Calif.
Stewart Indian School	Stewart, Nev.

6. SUBCOMMITTEE PUBLICATIONS

a. Hearings

Part 1	Washington, D.C	Dec. 14, 15, 1967
	San Francisco, Calif	Jan. 4, 1968
Part 2	Twin Oaks, Okla	Feb. 19, 1968
Part 3	Flagstaff, Ariz	Mar. 30, 1968
Part 4	Pine Ridge, S. Dak	Apr. 16, 1968
Part 5	Portland, Oreg	May 24, 1968
	Washington, D.C	Oct. 1, 1968
Part 1 (1969)	Washington, D.C	Feb. 18, 19, 24, Mar. 27, 1969
	Fairbanks, Alaska	Apr. 11, 1969
Part 2 (1969)	Appendix	

b. Committee prints

1. "The Education of American Indians: A Survey of the Research Literature," February 1969.
3. "The Education of American Indians: Field Investigation and Research Reports," October 1969.
3. "The Education of American Indians: A Compendium of Federal Boarding School Evaluations," October 1969.
4. "The Education of American Indians: A Compilation of Statutes," October 1969.
5. "The Education of American Indians: The Organization Question," November 1969.

7. CONSULTANTS

(*a*) Dr. Leon Osview, Temple University: *An Analysis of Administrative Structure, Budgeting Practice, and Personnel Factors in the Bureau of Indian Affairs Education Function.*

(*b*) Dr. James Olivero, Southwestern Cooperative Educational Laboratory, Inc., Albuquerque, New Mexico: *An Evaluation of the Albuquerque Indian School.*

(*c*) Dr. Arthur L. McDonald and Dr. William D. Bliss, Montana State University: *An Evaluation of the Busby Boarding School, Busby, Montana.*

(*d*) Robert L. Leon, M.D., University of Texas, San Antonio, Texas: *An Evaluation of the Chilocco Indian School, Chilocco, Oklahoma.*

(*e*) Dr. Atilano A. Valencia, Southwestern Cooperative Educational Laboratory, Inc., Albuquerque, New Mexico: *An Evaluation of the Chilocco Indian School, Chilocco, Oklahoma.*

(*f*) Francis Hamilton, Peter Petrafeso, and Rosemary Christenson, Upper Midwest Regional Educational Laboratory, Minneapolis, Minnesota: *An Evaluation of the Flandreau and Pierre Indian Schools, Flandreau and Pierre, South Dakota.*

(*g*) John Bjork, Area Social Service Branch, Public Health Branch, Public Health Service, Aberdeen, South Dakota: *An Evaluation of the Flandreau and Pierre Indian Schools, Flandreau and Pierre, South Dakota.*

(*h*) Edward D. Greenwood, M.D., Menninger Foundation, Topeka, Kansas: *An Evaluation of the Haskell Institute, Lawrence, Kansas.*

(*i*) Dr. Patrick Lynch, Educational Service Center, Albuquerque, New Mexico: *An Evaluation of the Magdalena, BIA Dormitory, Magdalena, New Mexico.*

(*j*) Elinor B. Harvey, M.D., Juneau, Alaska: *An Evaluation of Mt. Edgecumbe Boarding School and Wrangell Institute, Alaska.*

(*k*) Dr. Harold Koch and Dr. Bert Speece, Chadron State Teachers College, Chadron, Nebraska: *An Evaluation of Oglala Community School, Pine Ridge, South Dakota.*

(*l*) Anthony E. Elite, M.D., Public Health Service, Phoenix, Arizona: *An Evaluation of the Phoenix Boarding School, Phoenix, Arizona.*

(*m*) Dr. Elwin Svenson, University of California: *An Evaluation of the Sherman Institute, Riverside, California.*

(*n*) Dr. Glen Nimnicht and Mr. Francis McKinley, and Mr. Stephen Bayne, Far West Laboratory for Educational Research and Development, Berkeley, California: *An Evaluation of the Stewart Indian School, Stewart, Nevada.*

PART I: A NATIONAL TRAGEDY: SUBCOMMITTEE FINDINGS

I. The Failure of National Policy

> It is a pity that so many Americans today think of the Indian as a romantic or comic figure in American history without contemporary significance. In fact, the Indian plays much the same role in our American society that the Jews played in Germany. Like the miner's canary, the Indian marks the shifts from fresh air to poison gas in our political atmosphere; and our treatment of Indians, even more than our treatment of other minorities, reflects the rise and fall in our democratic faith.—FELIX S. COHEN—Yale Law Journal, February 1953.

A. OVERVIEW

A careful review of the historical literature reveals that the dominant policy of the Federal Government toward the American Indian has been one of forced assimilation which has vacillated between the two extremes of coercion and persuasion. At the root of the assimilation policy has been a desire to divest the Indian of his land and resources.

The Allotment Act of 1887 stands as a symbol of the worst aspects of the Indian policy. During the 46-year period it was in effect it succeeded in reducing the Indian landbase from 140 million acres to approximately 50 million acres of the least desirable land. Greed for Indian land and intolerance of Indian cultures combined in one act to drive the American Indian into the depths of poverty from which he has never recovered.

From the first contact with the Indian, the school and the classroom have been a primary tool of assimilation. Education was the means whereby we emancipated the Indian child from his home, his parents, his extended family, and his cultural heritage. It was in effect an attempt to wash the "savage habits" and "tribal ethic" out of a child's mind and substitute a white middle-class value system in its place. A Ponca Indian testifying before the subcommittee defined this policy from the standpoint of the Indian student—"School is the enemy!"

It is clear in retrospect that the "assimilation by education" policy was primarily a function of the "Indian land" policy. The implicit hope was that a "civilized Indian" would settle down on his 160 acres and become a gentleman farmer, thus freeing large amounts of additional land for the white man. But in addition, there has been a strong strain of "converting the heathen" and "civilizing the savage," which has subtly, but persistently, continued up to the present. Two stereo-

page 104, blank

types still prevail—"the dirty, lazy, drunken" Indian and, to assuage our conscience, the myth of the "noble savage."

Regretfully, one must conclude that this Nation has not faced up to an "American dilemma" more fundamental than the one defined so persuasively for us by Gunnar Myrdal in 1944. The "Indian problem" raises serious questions about this Nation's most basic concepts of political democracy. It challenges the most precious assumptions about what this country stands for—cultural pluralism, equity and justice, the integrity of the individual, freedom of conscience and action, and the pursuit of happiness. Relations with the American Indian constitute a "morality play" of profound importance in our Nation's history.

B. Historical Perspective—400 Years of Failure

The subcommittee has conducted a detailed and comprehensive analysis of our past and present failure as a nation to develop and implement an enlightened policy for the American Indian. The subcommittee feels that a full understanding of the historical roots of our present failures is essential, if problems are to be resolved and a more enlightened policy effected. The historical perspective which follows is an abridgment of the thoroughly documented historical analysis which can be found in appendix I of our report. We would urge all who are interested in the development of our present national policies to read the material in **Appendix I.**

1. MISSION PERIOD

The goal, from the beginning of attempts at formal education of the American Indian, has been not so much to educate him as to change him.

With the Jesuits, it was to acquaint the Indian with the French manner, French customs, the French language. With the Protestants, it was to Anglicize the natives and, in the process, prepare them for a "civilized" life. The Franciscans, working in the Southwest, also sought to bring Indians into the mainstream, but they were less interested in making Europeans of the Indians than were other missionaries. Regardless of the religious group, they all had the same goals: civilize and Christianize the Indian.

Beginning with the Jesuit mission school for Florida Indians in 1568, formal education of Indians was dominated by the church for almost 300 years. Jesuits and Franciscans were the first groups to try to remake the Indian in the mold of the white man, but the cause was taken up vigorously by Protestants when they gained a foothold in America. Education was adopted as the best means of accomplishing the task, and as early as 1617, King James I called upon Anglican clergy to provide funds for educating "children of these Barbarians in Virginia." The eventual result of his request was the establishment of the College of William and Mary—"a college for the children of the infidels."

Other schools for Indians were also started, but none were completely successful in achieving their "civilization" goals. For though the Indian students often left school with an understanding of the principles of Christianity and a solid grasp of reading and writing skills, they still shied away from the white man's way of life. One observer of the times noted, with obvious frustration, that after the Indians returned home, "instead of civilizing and converting the rest, they have immediately relapt into infidelity and barbarism themselves."

2. THE TREATY PERIOD

The signing of the treaty between the United States and the Delaware Tribe in 1778 established treaties as the primary legal basis for Federal policies in regard to the American Indian. The earliest treaty containing a specific provision for education—a promise by the government to provide a tribe with teachers "in the arts of the miller and sawer"—was signed in 1794. Similar provisions, usually given in exchange for Indian lands, were common elements in treaties for the next 80 years.

The purpose of the treaties did not differ much from the reason behind the missionaries' activities. Both the government and the missionaries sought to civilize the Indian. But whereas the religious groups acted primarily out of altruism, the government thought more in terms of the value of possessing Indian lands. Government leaders recognized that if Indians could be converted from hunters into farmers, the Indians would require less land and would be easier to contain. Such a policy would naturally mean more land available for settlement by white men. Education of Indians was seen as the means of accomplishing the conversion.

Between 1778 and 1871, when the last treaty was signed, Indian tribes ceded almost a billion acres to the United States. In return, Indians generally retained inalienable and tax-exempt lands for themselves, and Government pledges to provide such public services as education, medical care, and technical and agricultural training. Congress began appropriating funds for such services in 1802, when up to $15,000 was made available annually "to provide civilization among the aborigines." The basis for most Indian education programs was an act in 1819, though, which provided for an annual "civilization fund" to be used to convert Indians from hunters to agriculturalists. The act was in effect until 1873.

Responsibility for the education of Indians was placed in the hands of the Commissioner of Indian Affairs, a position created by Congress in 1832. The early commissioners viewed Indians as barbarous and heathen people "wedded to savage habits, customs and prejudices," and thus their educational policies revolved around controlling the Indian through coercive assimilation. As Commissioner L. Lea stated in 1850, the Indians must "resort to agricultural labor or starve." During this period the Government established an extensive program of manual training in agriculture and the mechanic arts in order to civilize the Indian. As early as 1838 the Government was operating 16 manual schools serving 800 students and 87 boarding schools serving about 2,900 students.

After 1871 the Government no longer engaged in treatymaking with Indian tribes. During this period it had committed itself to obligations in almost 400 treaties.

3. THE ALLOTMENT PERIOD

The last three decades of the 19th century were years of anguish for the Indian, as he fought in vain to defend his homeland from first plundering settlers, and then, the might of the U.S. Calvary. With the murder of Sitting Bull and the massacre of a Sioux band at Wounded Knee, S. Dak. in 1890, the conquest of the Indian was complete.

Three years prior to the final battle, though, the U.S. Government had initiated a means of dissolving the Indian land base legislatively. The Dawes Severalty Act of 1887 provided for land allotment to individual Indians as a means of breaking up the tribal structure and giving Indians an opportunity for a more civilized life. The actual results of the law were a diminishing of the Indian tribal economic base from 140 million acres to about 50 million acres, and severe social disorganization of the Indian family.

This land policy was directly related to the Government's Indian education policy because proceeds from the destruction of the Indian land base were to be used to pay the costs of taking Indian children from their homes and placing them in Federal boarding schools—a system designed to dissolve the Indian social structure. The Bureau of Indian Affairs had started building its boarding school system in the 1870's, often using abandoned Army posts or barracks as sites. Such schools were run in a rigid military fashion, with heavy emphasis on rustic vocational education. They were designed to separate a child from his reservation and family, strip him of his tribal lore and mores, force the complete abandonment of his native language, and prepare him for never again returning to his people. Although many changes have taken place over the years, some boarding schools still operate in 19th century converted Army posts and occasionally conduct practices which approximate the approach of the late 1800's.

Many Indian families resisted the assault of the Federal Government on their lives by refusing to send their children to school. Congress responded by authorizing the Secretary of Interior to withhold food or subsistence from those Indian families whose children weren't in school. In 1919 it was discovered that only 2,089 of an estimated 9,613 Navajo children were attending school, and thus the Government initiated a crash program of Navajo education. But because of a lack of schools on the reservation, many Navajo children were transported to boarding schools throughout the West and Southwest, without their parents' consent. The conditions at these boarding schools, where the children were often used as the labor force, received widespread attention with publication of the Meriam Report in 1928.

4. THE MERIAM REPORT AND THE NEW DEAL PERIOD

Probably the most significant investigation ever conducted into the field of Indian affairs was published in 1928. The Meriam Report, a survey of social and economic conditions of the American Indian, was prepared by the Brookings Institution in Washington D.C. (then known as the Institute for Government Research) under the direction of Lewis Meriam of the University of Chicago. The report led directly to one of the most creative and innovative periods in Indian affairs.

The major findings of the Meriam Report were that (1) Indians were excluded from management of their own affairs, and (2) Indians were receiving a poor quality of services (especially health and education) from public officials who were supposed to be serving their needs. These two findings remain just as valid today as they did more than 40 years ago.

The report was highly critical of boarding schools, both because of their inadequate facilities and the manner in which they were operated. It condemned the practice of taking children from their homes and placing them in off-reservation boarding schools. It stressed repeatedly the need for a relevant instructional curriculum adapted to the individual needs and background of the students. It chided the schools for failing to consider or adapt to the language of the child. It asked why Indians could not participate in deciding the direction of their schools. And it suggested that public schools, with their traditional curriculums, were not the answer either.

"The most fundamental need in Indian education," according to the report, "is a change in point of view." The Indian family and social structure must be strengthened, not destroyed. The qualifications of teachers in Indian schools must be high, not poor to average. The Federal school system must be a model of excellence.

The Meriam report had a substantial impact. Soon after John Collier became Commissioner of Indian Affairs in the Roosevelt administration in 1933, a series of new approaches were initiated which sought to overhaul completely the Federal Indian policy. The key legislation of the period, the Indian Reorganization Act of 1934, ended the allotment period and laid the groundwork for more autonomous tribal government. The act, which was submitted to and discussed with Indian tribes before being submitted to Congress, has been called the Indian bill of rights.

In education, Collier started programs in bilingual education, adult basic education, training of Indian teachers, Indian culture and inservice teacher training. During Collier's 12 years as Commissioner, 16 boarding schools were closed and 84 day schools were opened. Whereas in 1933 three-fourths of Indian students were enrolled in boarding schools, in 1943 two-thirds were attending day schools. The progress of the 1930's and early 1940's came to a halt with the advent of World War II, though, as a lack of funds joined with a congressional attitude of "de-Indianizing the Indian" to put an end to Collier's programs.

5. THE TERMINATION PERIOD

In 1944 a House Select Committee on Indian Affairs offered recommendations on achieving "the final solution of the Indian problem." In almost every instance, the committee called for a return of the pre-Meriam policies. It criticized reservation day schools for adapting education to the Indian and to his reservation way of life. It said "real progress" would be made only when Indian children of elementary school age were once again taken from their homes and placed in off-reservation boarding schools. "The goal of Indian education," according to the committee, "should be to make the Indian child a better American rather than to equip him simply to be a better Indian."

The House committee's attitude was indicative of the swing the pendulum was taking. By 1948 the Commissioner of Indian Affairs, at the urging of Congress, was setting criteria for determining a tribe's readiness for withdrawal of Federal services. In 1949 Commissioner John Nichols argued that development of services, not termination of them, was needed, but his plea went unheeded. When Dillon Myer become Commissioner in 1950 the termination policy was at full throttle. It was a return to the dominant policy of the Federal Government—coercive assimilation of the American Indian. The goals were to get rid of Indians and Indian trust land by terminating Federal recognition and services and relocating Indians into cities off the reservations—a policy viewed as a major catastrophe by the Indians.

In 1952 the Bureau of Indian Affairs closed down all Federal schools in Idaho, Michigan, Washington, and Wisconsin. Loans to Indian students authorized in the Reorganization Act of 1934 were discontinued. The following year a number of boarding and day schools were closed, as Indian students were transferred into public schools. Those Federal boarding schools in operation utilized a forced assimilation approach, educating children far from their homes (Navajo children in Oregon, Northwest Indians in Oklahoma) so that they would forget their family and the reservation way of life.

The legislative base for the termination policy was laid in 1953 with passage of Public Law 280, which transferred Federal jurisdiction over law and order on Indian reservations to individual States, and House Concurrent Resolution 108, which called for the end of Federal services to Indians. Little time was wasted in implementing the policy. In 1954, 10 termination bills were introduced, with six of them passing. The termination period was brought to a partial halt on September 18, 1958, when Secretary of the Interior Fred Seaton announced that no tribe would be terminated without its consent. Despite his statement, Indians had developed a fear of termination which was to continue through the 1960's.

6. THE 1960'S

Alvin M. Josephy of American Heritage magazine has described the result of the Indian policy of the 1950's as "termination psychosis." Throughout the 1960's Indians exhibited an all-pervading suspicion of Government motives in Indian affairs. They were confused, disoriented, and filled with anxiety and worry, according to Josephy. In effect, the termination policy had told the Indian tribes that if they demonstrated economic progress they would be punished by a withdrawal of Federal services.

Attempts to counterattack the termination psychosis were a significant part of Indian history of the 1960's, but the failure of a new policy framework to emerge during this period meant that most of these attempts were futile.

The first formal reaction to termination in the 1960's was publication of the Fund for the Republic study by the Commission on Rights, Liberties, and Responsibilities of the American Indian. This January 1961 report focused attention on the injustices of termination policy, the paternalistic attitudes and practices of the Bureau of Indian Affairs, and the inadequate services provided Indians. It argued for reorganization of the Bureau's education program and increased Indian involvement in determining programs affecting Indians. Both of these issues were to dominate Indian education during this decade.

Six months after the Fund for the Republic report was issued a conference of Indian leaders was held in which a "Declaration of Indian Purpose" was formulated. The Indians repudiated the termination policy of the 1950's and expressed their desire to play a decisive role in planning their own programs. Like the Fund for the Republic report, the conference indicated a reorganization of the Bureau of Indian Affairs was essential. But the Indians made it clear they wanted to play an important role in determining the reorganization.

The Kennedy administration responded to the Indian people with its own study of Indian affairs, a task force headed by Secretary of the Interior Stewart Udall. The July 1961 report suggested a wide range of new activities in Indian education, from increased funds for scholarships to the encouragement of Indian parent participation in the formulation of school programs. The recommendations would certainly have improved Indian education, but their implementation was almost impossible, given the Bureau's organizational structure—a matter with which the report did not come to grips. The report repudiated termination and suggested that economic development on Indian reservations be the basis of a new Federal Indian policy. As a result, between 1961 and 1965 the Bureau of Indian Affairs shifted its policy direction and embarked on a program of economic and community development. But nothing was done to refashion the Bureau into an effective instrument for executing the new policy and programs.

One of the most significant accomplishments in Indian affairs during the 1960's was the enactment of legislation—the Economic Opportunity Act—which gave Indians the opportunity to participate in and control their own programs. Head Start programs, for example, were the first meaningful effort to provide early childhood experiences for Indian children. Upward Bound, Job Corps, and VISTA all had significant Indian participation. But in terms of demonstrating the importance of Indian initiative and self-determination, and the ability of Indians to effectively carry out their own programs, the Community Action Programs on Indian reservations have been the most important innovations of the 1960's. More than 60 Community Action Programs, involving 105 Federal reservations in 17 States, presently exist. The most important experiment in the field of Indian education in the 1960's was the establishment of the Rough Rock Demonstration School on the Navajo Reservation in Arizona. The initiative for the project, as well as some of its funds, came from the Office of Economic Opportunity, which worked closely with Dr. Robert Roessel, who became the school's first director.

Established on July 27, 1966, as a private, nonprofit organization, the school is run by a five-member Navajo school board. Only two of the school board members have had any formal education and weekly school board meetings are conducted in Navajo. The school is committed to the involvement of Indians in "their" school. Tribal elders, for example, are used to teach traditional materials. Culturally-sensitive curriculum materials have been developed, and the bilingual approach to the teaching of English is used. The school is regarded not just as a place for educating Indian children, but as the focus for development of the local community. Rough Rock has become a symbol of Indian participation and control and educational innovation, and has been extraordinarily influential in shaping a new policy in Indian education.

A second landmark in Indian education legislation of the 1960's was the Elementary and Secondary Education Act of 1965. The law provided funds for improving the education of disadvantaged children. In 1966 Indians in Federal schools were involved in title I of the act (innovative programs for disadvantaged children), and in fiscal year 1969 approximately $9 million was appropriated specifically for Indians in Federal schools. Disadvantaged Indians in public schools also benefit from the legislation. Other titles of the act have aided in the development of special supplemental centers and the establishment of regional educational laboratories, some of which are doing significant work in Indian education. Drop out prevention and bilingual education titles of the act are also benefiting some Indians.

The programs of the Office of Economic Opportunity and the Elementary and Secondary Education Act provided some optimism for Indian education in the mid-1960's. The Bureau of Indian Affairs, with Carl Marburger serving as Assistant Commissioner for Education, talked about making the Federal Indian schools an exemplary system, utilizing bilingual approaches and a culturally sensitive curriculum. But the continual problem of working within the Bureau's educational structure, together with less than full-hearted congressional support, made Marburger's exemplary system just a dream.

Another major attempt to formulate a new policy on Indian affairs was the 1966 Presidential Task Force Report. The report recognized the necessity of coming to grips with one of the fundamental questions—reorganization of the Bureau of Indian Affairs—and recommended transferring the responsibility for Indian affairs from the Department of Interior to the Department of Health, Education, and Welfare. The report placed education as the priority item in improving Indian affairs, and strongly endorsed Indian control and an exemplary school system.

The report concluded with a clear warning against acting precipitously and without full explanation and consultation with the Indian tribes. Nevertheless, the President seized upon the idea in a way which aroused Indian anxiety. When the proposed transfer was hinted at by Secretary Gardner at an Indian manpower conference in February 1968, Indians reacted as if it was a termination proposal (the assumption was that the various functions of BIA would be scattered throughout HEW), and the matter was dead before it ever got openly explained and discussed.

These Indian control and exemplary school system items became the major recommendations of President Johnson's message on Indian affairs on March 6, 1968. The President rejected termination as a policy and suggested it be replaced by self-determination. He called for increased funding for the OEO programs which had proved so successful and stated his intention to make Federal schools a "model community school system." The recommendations were not new, nor was the President's silence regarding the Bureau of Indian Affairs organizational defects, which would continue to retard any massive efforts at reform.

The 1960's began with determined effort to seek a new policy which would alleviate Indian termination fears and reorganize the Bureau of Indian Affairs so that it could effectively provide an exemplary educational program for Indians. The 1960's are ending with those same problems unresolved.

C. ALCOHOLISM AND MENTAL HEALTH

The subcommittee found that in recent years, the number of suicides and alcoholics among the native population has greatly increased. In Alaska, for example, it has doubled. According to the chief psychiatrist for the U.S. Public Health Service in Alaska:

> If mental health problems are broadly construed to include not only mental illness and alcoholism, but also child neglect and delinquency and other behavioral problems, then mental health problems are the major health problem of Alaska natives today.[1]

This is not a new phenomenon. It dates from at least the mid-19th century. All experts agree that the problem today is very serious and getting worse.

In the Northwest, the subcommittee found adolescent suicide problems of epidemic proportions on the Quinault Reservation in Washington, and on the Fort Hall Reservation in Idaho. The termination of the Klamath Reservation in Oregon has led to extreme social disorganization of that tribal group. Many of them can be found in State mental and penal institutions.

In South Dakota, the subcommittee found suicide attempt rates more than twice the national average, a delinquency rate for Indian adolescents 9 times the national rural average, extensive and severe alcoholism problems on every reservation, an alarming amount of glue and gasoline sniffing among prepubertal Indian children, almost 1 in 5 adolescents had no adult male in the house, and the number of Indian children in foster homes was almost 5 times the national average.

The subcommittee was informed by the Public Health Service psychiatrist serving the Navajo Reservation in Arizona that there are many severe problems among young Navajo adults—drunkenness, child neglect, drunken and reckless driving. "Alarming numbers of people have lapsed into an alienated, apathetic life marked by episodes of delinquency and irresponsibility.[2] In Gallup, New Mexico, just off the reservation, more than 675 Navajos per month are arrested for public intoxication.

The subcommittee has noted serious and growing problems of suicide attempts and alcoholism on many reservations in the Southwest. For example, on one Pueblo in New Mexico last year, *there were five suicides involving Indian men under the age of 25.*

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[1] Indian Education Subcommittee Hearings, pt. 1, 1969, p. 584.
[2] Hearings, 1968, pt. 3, p. 1126.

The subcommittee found one tribe in western Oklahoma where practically every male between the ages of 18 to 30 has a serious drinking problem. Strangely enough, if they survive to age 30, a complete reversal often takes place. The subcommittee findings leave no doubt that alcoholism broadly defined is one of the most serious problems affecting the Indian population today, yet it has attracted little serious attention, and what data that is available is generally inaccessible, unorganized, scattered, and unknown.

Excessive alcohol usage appears to be closely interrelated with other manifestations of social disorganization in Indian communities. Indian accident and arrest rates are notoriously high, and the majority of accidents as well as homicides, assaults, suicides, and suicide attempts are associated with alcohol. The vast majority of arrests, fines, and prison sentences in the Indian population are related to alcohol, and Indian arrest rates are also notoriously high. In one State penitentiary, Indians constitute 34 percent of the inmates whereas only 5 percent of the State's population is Indian. The majority of the crimes were committed while under the influence of alcohol.

On one central plains reservation, there were in 1 year 2,585 arrests for disorderly conduct and drunkenness in a population of 4,600 adults. Over a 3-year period, 44 percent of males and 21 percent of females had been arrested at least once for a drinking-connected offense. Of these, two-thirds had been arrested more than once, and 10 percent had been arrested more than 10 times. Thirteen percent of the entire population ages 15 to 17 had been booked at least once on a charge related to drinking. On another reservation with a total population of 3,500, in 1968, there were 1,769 arrests related to excessive drinking, 10 percent of them juveniles. In 1960, alcohol-related arrest rate for all Indians was 12.2 times that of the U.S. population generally. Drunkenness *alone* accounted for 71 percent of all Indian arrests.

In a study of high school students in a plains tribe, 84 percent of the boys and 76 percent of the girls claimed they drank. Thirty-seven percent claimed they drank frequently. Another survey of Indian high school students found 339 out of 350 who disliked their hometown because of excessive drinking. On this reservation, 70 percent of all juvenile offenses involved alcohol— a total of 420 in a recent year.

A recent publication by the Public Health Service identifies the following as causes of the Indian alcoholism problem:[8]

1. Alcoholic beverages were introduced by the white man to the American Indian and have often been used for purposes of calculated exploitation. (The English translation of the Indian name *Manhattan* Island is "The Place of the First Big Drunk.")

2. Psychologically, excessive drinking originates in feelings of worthlessness and powerlessness which are closely related to socioeconomic and educational failure. Drinking is an expression of individual anger and serves as a vehicle for acting out aggressive and hostile feelings.

3. Alcohol often serves as a focused activity for a group of people, and group drinking tends to take on pathological forms—drinking until the supply of alcohol is exhausted or all members of the group are intoxicated.

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[8] Preliminary report of the Indian Health Service. Task Force on Alcoholism, January 1969, pp. 38–43.

4. The American Indian lives in a state of severe grinding poverty. Ninety percent of his housing is atrocious and beyond rehabilitation; he suffers the worst health conditions in our Nation; his unemployment rate is 50 percent and the average family income is $1,500 per year. These conditions lead to feelings of anger and frustration, coupled with strong feelings of personal inadequacy and powerlessness.

Conditions within Indian schools, particularly boarding schools, have done a great deal to bring about the causes of problem drinking and very little to prevent them.

The dimensions of these mental health and alcoholism problems have not been adequately investigated nor defined, but they are clearly very large.

D. CHEROKEE EDUCATION—PAST AND PRESENT

One of the most remarkable examples of adaptation and accomplishment by any Indian tribe in the United States is that of the Cherokee. Their record provides evidence of the kind of results which ensue when Indians truly have the power of self-determination:

a constitution which provided for courts, representation, jury trials and the right to vote for all those over 18 years;

a system of taxation which supported such services as education and road construction;

an educational system which produced a Cherokee population 90 percent literate in its native language and used bilingual materials to such an extent that Oklahoma Cherokees had a higher English literacy level than the white populations of either Texas or Arkansas;

a system of higher education which, together with the Choctaw Nation, had more than 200 schools and academies, and sent numerous graduates to eastern colleges; and

publication of a widely read bilingual newspaper.[4]

But that was in the 1800's, before the Federal Government took control of Cherokee affairs. The record of the Cherokee today is proof of the tragic results of 60 years of white control over their affairs:

90 percent of the Cherokee families living in Adair County, Okla. are on welfare;

99 percent of the Choctaw Indian population in McCurtain County, Okla., live below the poverty line;

The median number of school years completed by the adult Cherokee population is only 5.5;

40 percent of adult Cherokees are functionally illiterate;

Cherokee dropout rates in public schools is as high as 75 percent.

The level of Cherokee education is well below the average for the State of Oklahoma, and below the average for rural and nonwhites in the State.[5]

The disparity between these two sets of facts provides dramatic testimony to what might have been accoplished if the policy of the

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[4] Senate Subcommittee on Indian Education Hearings, pt. 2, p. 918.

[5] Ibid., p. 920.

Federal Government had been one of Indian self-determination. It also points up the disastrous effects of imposed white control.

Cherokee education was truly a development of the tribes itself. In 1821 Sequoyah, a member of the tribe, presented tribal officials with his invention—a Cherokee alphabet. Within 6 years of that date Cherokees were publishing their own bilingual newspaper, and the Cherokee Nation was on its way toward the end of illiteracy and the beginning of a model of self-government and self-education.

The Cherokee Indians established a government of laws in 1820 and, in 1827, a constitution patterned after that of the United States. Their nation was divided into districts, and each district sent representatives to the Nation's capital, which had a two-house legislative structure. The system compared favorably with that of the Federal Government and any State government then in existence.

The Cherokee education system itself was just as exemplary as its governmental system. Using funds primarily received from the Federal Government as the result of ceding large tracts of land, a school system described by one authority as "the finest school system west of the Mississippi River" soon developed.[6] Treaty money was used by Sequoyah to develop the Cherokee alphabet, as well as to purchase a printing press. In a period of several years the Cherokee had established remarkable achievement and literary levels, as indicated by statistics cited above. But in 1903 the Federal Government appointed a superintendent to take control of Cherokee education, and when Oklahoma became a State in 1906 and the whole system was abolished, Cherokee educational performance was to begin its decline.

Authorities who have analyzed the decline concur on one point: the Cherokees are alienated from the white man's school. Anthropologist Willard Walker simply stated that "the Cherokees have viewed the school as a white man's institution over which parents have no control." Dr. Jack Forbes of the Far West Regional Laboratory for Research and Development said that the Federal and State schools operated for the Cherokee have had negative impact because of little, if any, parent-community involvement. Several researchers have also commented upon the lack of bilingual materials in the schools, and the ensuing feeling by Cherokees that reading English is associated with coercive instruction.

Alfred L. Wahrhaftig makes the point that the Indian child communicates in Cherokee and considers it his "socializing" language. English is simply an "instrumental" language one learns in school, a place which the Cherokee student sees no value in attending anyway.

In the 1890's Cherokees knew there was a forum for their opinions on how their children should be educated, and they used that forum. Wahrhaftig's study showed Cherokee parents haven't lost interest in their children's education, just their faith in a white-controlled system's ability to listen to them and respond. "Cherokees finally have become totally alienated from the school system," he reported. "The tribe has surrendered to the school bureaucracy, but tribal opinion is unchanged."[7]

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[6] Ibid., p. 870.

[7] Ibid., p. 920.

E. Summary of Historical Findings

I. Policy Failure

The dominant policy of the Federal Government towards the American Indian has been one of coercive assimilation. The policy has resulted in:

A. The destruction and disorganization of Indian communities and individuals.

B. A desperately severe and self-perpetuating cycle of poverty for most Indians.

C. The growth of a large, ineffective, and self-perpetuating bureaucracy which retards the elimination of Indian poverty.

D. A waste of Federal appropriations.

II. National Attitudes

The coercive assimilation policy has had a strong negative influence on national attitudes. It has resulted in:

A. A nation that is massively uninformed and misinformed about the American Indian, and his past and present.

B. Prejudice, racial intolerance, and discrimination towards Indians far more widespread and serious than generally recognized.

III. Education Failure

The coercive assimilation policy has had disastrous effects on the education of Indian children. It has resulted in:

A. The classroom and the school becoming a kind of battleground where the Indian child attempts to protect his integrity and identity as an individual by defeating the purposes of the school.

B. Schools which fail to understand or adapt to, and in fact often denigrate, cultural differences.

C. Schools which blame their own failures on the Indian student and reinforce his defensiveness.

D. Schools which fail to recognize the importance and validity of the Indian community. The community and child retaliate by treating the school as an alien institution.

E. A dismal record of absenteesim, dropouts, negative self-image, low achievement, and, ultimately, academic failure for many Indian children.

F. A perpetuation of the cycle of poverty which undermines the success of all other Federal programs.

IV. Causes of the Policy Failure

The coercive assimilation policy has two primary historical roots:

A. A continuous desire to exploit, and expropriate, Indian land and physical resources.

B. A self-righteous intolerance of tribal communities and cultural differences.

II. Failure of Public Schools

A. GENERAL ANALYSIS

To thousands of Americans, the American Indian is, and always will be, dirty, lazy, and drunk. That's the way they picture him; that's the way they treat him.

A Kansas newspaper in the middle of the 19th century described Indians as "a set of miserable, dirty, blanketed, thieving, lying, sneaking, murdering, graceless, faithless, gut-eating skunks as the Lord ever permitted to infest the earth, and whose immediate and final extermination all men, except Indian agents and traders, should pray for." In its investigation into the conditions of Indian education in all parts of the country, the subcommittee found anti-Indian attitudes still prevalent today in many white communities. In every community visited by the subcommittee there was evidence among the white population of stereotyped opinions of Indians. The subcommittee research record is full of examples verifying the presence of such attitudes.

Superior Court Judge Robert L. Winslow of Ukiah, Calif., told the subcommittee that in Mendocino County, Calif., there was a "common feeling that Indians are inferior to non-Indians."[1] A study of Indian-white relations in Ukiah said that whites generally looked upon Pomo Indians as "lazy, shiftless, dirty, biologically and culturally inferior."[2] A Pomo Indian testified, "Some think the Indian is not very much or probably not even human."[3] A Southwest study found many people convinced that Apaches were hostile, mean, lazy, and dumb.[4] An Oklahoma principal said of his Indian students, "(they) are even worse than our coloreds and the best you can do is just leave them alone."[5]

The basis for these stereotypes goes back into history—a history created by the white man to justify his exploitation of the Indian, a history the Indian is continually reminded of at school, on television, in books and at the movies.

It is a history which calls an Indian victory a massacre and a U.S. victory an heroic feat. It is a history which makes heroes and pioneers of goldminers who seized Indian land, killed whole bands and families and ruthlessly took what they wanted. It is a history which equates Indians and wild animals, and uses the term "savages" as a synonym for Indians.

It is this kind of history—the kind taught formally in the classroom and informally on street corners—which creates feelings of inferiority among Indian students, gives them a warped understanding of their cultural heritage and propagates stereotypes.

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[1] Senate Subcommittee on Indian Education Hearings, pt. 1, appendix, p. 491.

[2] Frederick E. Robin, "Culture Contact and Public Opinion in a Bicultural Community"; M.A., Columbia University, 1941.

[3] Hearings, pt. 1, p. 248.

[4] Hearings, pt. 3, p. 1141.

[5] Hearings, pt. 2, 1969, appendix, p. 1550.

The manner in which Indians are treated in textbooks—one of the most powerful means by which our society transmits ideas from generation to generation—typifies the misunderstanding the American public as a whole has regarding the Indian, and indicates how misconceptions can become a part of a person's mind-set. After examining more than a hundred history texts, one historian concluded that the American Indian has been obliterated, defamed, disparaged, and disembodied.[6] He noted that they are often viewed as subhuman wild beasts in the path of civilization, that "Indian menace" and "Indian peril" and "savage barrier" are commonly found descriptions. Other authors talk about the "idle, shiftless savage" who "was never so happy as when, in the dead of night, he roused his sleeping enemies with an unearthly yell, and massacred them by the light of their burning homes." [7]

Textbook studies by a number of States indicate that misconceptions, myths, inaccuracies and stereotypes about Indians are common to the curriculum of most schools. A report prepared for the subcommittee by the University of Alaska showed that: (1) 20 widely used texts contain no mention of Alaska Natives at all, and in some cases, no mention of Alaska: (2) although some textbooks provide some coverage of the Alaskan Eskimo, very few even mention Indians; and (3) many texts at the elementary and secondary level contain serious and often demeaning inaccuracies in their treatment of the Alaskan Native.[8]

A similar study by the University of Idaho found Indians continually depicted as inarticulate, backward, unable to adjust to modern Euro-American culture, sly, vicious, barbaric, superstitious and destined to extinction.[9] Minnesota has for years been using an elementary school social studies text which depicts Indians as lazy savages incapable of doing little more than hunting, fishing, and harvesting wild rice. Some schools continue to use the text. California, with its progressive public school program, found in a study of 43 texts used in fourth, fifth, and eighth grades that hardly any mention at all was made of the American Indian's contribution or of his role in the colonial period, gold rush era or mission period of California history, and, when mentioned, the reference was usually distorted or misinterpreted.[10]

The president of the American Indian Historical Society told the subcommittee, "There is not one Indian child who has not come home in shame and tears after one of those sessions in which he is taught that his people were dirty, animal-like, something less than a human being." [11]

For the most part, the subcommittee's field research bore out the findings of these reports. There were some examples, though, of concerned school officials providing special materials. In Grand Portage, Minn., for example, a husband-and-wife teaching team found themselves teaching Chippewa students, but without textbooks on Chippewa culture or language. So they prepared their own Chippewa texts.[12]

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[6] Vogel, Virgil J., "The American Indian in American History Textbooks," Integrated Education, VI: 3:16-32, May-June 1968.
[7] Ibid., p. 21.
[8] Hearings, pt. 1, 1969, p. 511.
[9] Ibid.
[10] Hearings, pt. 1, p. 243.
[11] Hearings, pt. 1, p. 243
[12] Hearings, pt. 1, 1969, p. 93.

Textbook changes have been made in the State of California, and the State of Idaho has undertaken the development of new materials. In Tuba City, Ariz., public school officials have recognized some of the special needs of their 90-percent Indian school population and have developed bilingual programs.[13] New York State now includes State Indian history in its sixth and seventh grade social studies programs.[14] But these examples are the exceptions not the rule, and the improvements rarely go far enough either in terms of quantity or quality. These are all of very recent date.

While visiting the public schools serving Indian students on the Fort Hall Reservation in Idaho, Senator Robert F. Kennedy asked if the school had any books about Indians. After a frantic search in the back closet of the school's library a school administrator came running up to the Senator with his find. It was a book entitled "Captive of the Delawares," which had a cover picture of a white child being scalped by an Indian.[15] When the Senator later inquired whether the culture and traditions of the Indians there were included in the school's curriculum he was informed that "there isn't any history to this tribe."

With attitudes toward Indians being shaped, often unconsciously, by educational materials filled with inaccurate stereotypes—as well as by teachers whose own education has contained those same stereotypes and historical misconceptions—it is easy to see how the "lazy, dirty, drunken" Indian becomes the symbol for all Indians. When the public looks at an Indian they cannot react rationally because they have never known the facts. They do not feel responsible for the Indian because they are convinced that the "savages" have brought their conditions upon themselves. They truly believe the Indian is inferior to them. The subcommittee found this climate of disrespect and discrimination common in off-reservation towns which educate many Indian students in their public schools. The Indian is despised, exploited, and discriminated against—but always held in check by the white power structure so that his situation will not change.

At the heart of the matter, educationally at least, is the relationship between the Indian community and the public school and the general powerlessness the Indian feels in regard to the education of his children. A recent report by the Carnegie Foundation described the relationship between white people, especially the white power structure, and Indians as "one of the most crucial problems in the education of Indian children." The report continued: "This relationship frequently demeans Indians, destroys their self-respect and self-confidence, develops or encourages apathy and a sense of alienation from the educational process, and deprives them of an opportunity to develop the ability and experience to control their own affairs through participation in effective local government."[16]

One means the white power structure employs to limit Indian control, or even participation, is to prevent Indians from getting on local school boards. The subcommittee uncovered numerous instances of school districts educating Indians with no Indian members on the school board. When Ponca City, Okla., Indians tried to crack the white power structure by electing an Indian to the board of an all Indian public school, some were threatened with loss of their rented homes while others were led to believe registration procedures were extremely complicated and would place them in jeopardy of having their land taxed.[17] The election of the Indian marked the first time in 20 years that an Indian sat on the board. Chippewas of the Leech Lake Reservation in Minnesota have alleged that their school district has been redrawn to prevent Indians from being elected to the all-white school board.[18] The Mesquakie Tribe of Tama, Iowa, send most of their children to South Tama County public school, yet the Indians cannot vote for members of the school board.[19]

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[13] Hearings, pt. 3, p. 1036.

[14] Committee print, "The Education of American Indians: Field Investigation and Research Reports."

[15] Committee print, "Field Investigation and Research Reports."

[16] Hearings, pt. 2, 1969, appendix, p. 1599.

The subcommittee does not mean to suggest that Indians are never on public school boards or that a board will necessarily be effective if it contains Indian members. There are a number of public school districts in which Indians exercise some influence in school decision-making. But the point is that there are far too many instances of school boards in districts containing Indians making policies which adversely affect Indian students. This is sometimes due to a willful intent by the board to keep Indians in check, but more often to a lack of understanding about the Indian community and the special needs of Indian students.

History provides several examples of Indian-controlled school systems which have had great success. In the 1800's, for example, the Choctaw Indians of Mississippi and Oklahoma operated about 200 schools and academies and sent numerous graduates to eastern colleges. Using bilingual teachers and Cherokee texts, the Cherokees, during the same period, controlled a school system which produced a tribe almost 100 percent literate. Children were taught to read and write in both their native language and English. Some used these skills to establish the first American Indian press, a newspaper printed in Cherokee and English. Anthropologists have determined that as a result of this school system, the literacy level in English of western Oklahoma Cherokees was higher than the white populations of either Texas or Arkansas.

But the Cherokee and Choctaw school systems were abolished when Oklahoma became a State in 1906. Now, after almost 70 years of Federal and State controlled education, the Cherokees have the following education record: 40 percent of adult Cherokees are functionally illiterate in English; only 39 percent have completed the eighth grade; the median educational level of the tribe's adult population is only 5.5 years; dropout rates of Indian students are often as high as 75 percent. Wahrhaftig and others who have studied this dramatic decline, feel that the primary cause is the almost complete alienation of the Cherokee community from the white-controlled public school systems.[20]

The Carnegie report cited an example of the problems Indian parents face in dealing with the power structure. Indians were trying to get a course in Ponca history and culture included in the curriculum of their all-Indian public school. The superintendent's response to their request is explained in the Carnegie report:

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[17] Ibid.

[18] Conference between Leech Lake Chippewas and Senator Walter F. Mondale in March 1969.

[19] Hearings, pt. 1, 1969, p. 16.

[20] Hearings, pt. 2, p. 831.

> He had reviewed the schedule and found that if the course were taught, the children would be deprived of 54 hours of subjects they needed, such as math, English, science, and so forth. Further, he said, the teachers were doing very well in incorporating Indian culture into their teaching. Besides, he didn't see the value because this was "a competitive world and their culture was going to be lost anyway and they would be better off in the long run if they knew less of it." He also said that many felt the theme of the course would be to "teach the children to hate white people." [21]

The principal of a Chinle, Ariz., public school had similar feelings about the teaching of Navajo culture in his school. He told an Office of Economic Opportunity evaluating team that he considered it "not American" to help any "faction" perpetuate its way of life. He felt the Rough Rock Demonstration School, with its emphasis on the Navajo culture, was a "backward step," and that the country had never moved ahead by "catering" to ethnic groups.[22]

One outcome of the Indians' powerlessness and the atmosphere of the white community in which Indians attend school is discrimination within the public schools. Indian students on the Muckleshoot Reservation, in western Washington, for example, were automatically retained an extra year in the first grade of their public school. School officials felt that, for the Indians, the first year should be a nonacademic, socializing experience. The Nooksack Indians of western Washington, were automatically placed in a class of slow learners without achievement testing.[23] The subcommittee found a tracking system operating in the Nome public schools which several officials described as highly discriminatory. The system assigned most natives to the lowest level and most whites to the highest. A similar tracking system was recently declared unconstitutional in Washington, D.C., in the case of *Hobson* v. *Hansen*, 269 F. Supp. 401 (DDC 1967). The school superintendent in Chinle, Ariz., admitted that his district has a policy of falsifying the Indian achievement test results. He told OEO evaluators that these children were so far behind national norms that "it just wouldn't look good. People who don't know conditions here just wouldn't understand." [22] (This is a district which depends upon Federal money for a major share of its operating budget.)

Oklahomans for Indian Opportunity, a responsible Indian organization aimed at assisting Indians, reported to the subcommittee that the non-Indian teachers of northwest Oklahoma "usually are lacking in even the most elementary understanding of or respect for the Indian students. The report quotes a principal as saying, "To tell the truth, our Indians are even worse than our coloreds and the best you can do is just leave them alone." The report concludes that "in general, the teachers and administrators in the schools of northwest Oklahoma seem incapable of treating the Indian students as sensitive human beings with the same needs and desires that non-Indian people have."[24]

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[21] Hearings, pt. 2, 1969, appendix, p. 1599.

[22] Donald A. Erickson and Henrietta Schwartz, "Community School at Rough Rock, An Evaluation for the Office of Economic Opportunity," April 1969, p. 3.4.

[23] Letter to Adrian Parmeter from Dr. Lionel de Montigny, Deputy Director, Division of Indian Health, Portland, Oreg., Feb. 28, 1969.

Excerpts from the records of Indian students attending public schools in Idaho indicate how teachers' views of certain students develop. One student was rated "very good" by his 3d grade teacher, "good aptitude" by his 4th grade teacher, and "poor work, makes no effort" by the time he was in 7th grade. Another student went from "a good 3d grade student, has developed greatly" to "poor student, no initiative" in the 5th grade. A further study of Indians in these schools found that they fall progressively further behind the longer they continue in school.[25]

A freshman Indian high school student's statement after Senator Robert Kennedy visited his school indicated the kind of concern he felt the school administration had toward Indians:

> When Robert Kennedy came, that was the only time they ever showed any respect for the Indians; just on that one day, and after that they could care less.[26]

Language is another area in which the Indian is discriminated against in school. The Bureau of Indian Affairs contends that one-half to two-thirds of Indian children enter school with little or no skill in the English language. Dr. B. Gaarder of the U.S. Office of Education estimated that more than half of the Indians in the United States between the ages of 6 and 18 use their native tongues.[27] It is estimated that for half the Indians in New Mexico public schools, English is a second langauge.[28] Unfamiliarity with the language of the classroom becomes a tremendous handicap for the Indian student, and records indicate he immediately falls behind his Anglo classmates.[29] Most public school teachers are not trained to teach English as a second language. The student's position is complicated by the insistence of teachers, who have no understanding of Indian cultures, that he disregard the language spoken by his parents at home.

The Indian thus feels like an alien in a strange country. And the school feels it is its responsiblity not just to teach skills, but to impress the "alien" Indian with the values of the dominant culture. Teachers, textbooks, and curriculums, therefore, are programed to bring about adoption of such values of American life as competitiveness, acquisition, rugged individualism, and success. But for the Indian whose culture is oriented to completely different values, school becomes the source of much conflict and tension. He is told he must be competitive, when at home he is taught the value of cooperation. At school he is impressed with the importance of individual success, but at home the value of good interpersonal relations is emphasized.

The teacher complains about him not being motivated. But anthropologist Anne M. Smith asks if can be expected to be motivated when to do so means rejection of his parents and their teachings, as well as his religion, race, and history.[30]

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[24] Hearings, pt. 2, 1969, appendix, p. 1550.

[25] Committee print, "Field Investigation and Research Reports."

[26] Ibid.

[27] Gaarder, B., "Education of American Indian Children," U.S. Office of Education (not official USOE policy), June 1967.

[28] Miles V. Zintz, "Problems of Classroom Adjustment of Indian Children in Public Elementary Schools in the Southwest," Science Education, XLVI: 261-269, April 1962.

[29] Dr. Brewton Berry, "The Education of American Indians, a Survey of the Literature:" prepared for the Special Subcommittee on Indian Education, 91st Cong., first sess., February 1969, p. 64.

Condemned for his language and his culture, berated because his values aren't those of his teacher, treated demeaningly simply because he is Indian, the Indian student begins asking himself if he really isn't inferior. He becomes the object of a self-fulfilling prophecy which says "Indians are no good." Dr. Brewton Berry explains it thus:

> The theory is that if teachers and other members of the dominant-group are convinced that the Indian is innately inferior and incapable of learning, such attitudes will be conveyed in various and subtle ways, a child will come to think of himself in the negative way and set for himself lower standards of effort, achievement, and ambition. Thus the teacher's expectation and prediction that her Indian pupils will do poorly in school, and in later life become major factors in guaranteeing the accuracy of her prediction.[31]

Study after study confirms this is exactly what the dominant society, and the dominant school society in particular, is doing. Study after study shows Indian children growing up with attitudes and feelings of alienation, hopelessness, powerlessness, rejection, depression, anxiety, estrangement, and frustration.[32] Few studies, if any, show the public schools doing anything to change this pattern. The public school becomes a place of discomfort for the Indian student, a place to leave when he becomes 15 or 16. According to Dr. Lionel H. DeMontigny, deputy Indian Health director of the Division of Indian Health in Portland, Oreg., the Indian child comes to believe "he can only succeed if he were white."[illegible]

Substantial evidence indicates that the question of identity is uppermost in the minds of Indians and that feelings of alienation, anxiety, and inadequacy are problems with which they are trying to cope.[34] One of the most significant of recent studies in this area is the Coleman report, the "Equality of Educational Opportunity" study funded by the U.S. Office of Education. Among its findings were:

> One fourth of elementary and secondary schoolteachers, by their own admission, would prefer not to teach Indian children.
>
> Indian children, more than any other group, believe themselves to be below average in intelligence.
>
> Indian children in the 12th grade have the poorest self-concept of all minority groups tested.[35]

The report offers evidence showing the close relationship between the achievement of disadvantaged children and the way they feel about themselves and their future. The report states, "A pupil attitude factor which appears to have a stronger relationship to achievement than do all school factors together, is the extent to which an individual feels that has control over his own destiny." The report discovered that Indian students "have far less conviction than whites that they can affect their own environments and futures." In the book, "The Disadvantaged Learner," Johntz stated unequivocally, "The primary causal factor in the low achievement of culturally deprived children is the low, negative image they have of themselves." [36]

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[30] Anne M. Smith, "The Status of the American Indian," the New Mexico Review, September 1969, p. 11.

[31] Dr. Brewton Berry, op. cit., p. 34.

[32] Ibid., p. 66.

[33] Hearings, pt. 5, p. 1963.

[34] Dr. Brewton Berry, op. cit., p. 66.

[35] Coleman, James S., et al., "Equality of Educational Opportunity," U.S. Government Printing Office, Washington, 1966.

On many occasions in the field, subcommittee staff members heard Indian children describe themselves as "dumb Indians." A survey of Oglala Sioux high school students in South Dakota found a majority of the Indians expressing negative attitudes toward Indians. "Indians have greater problems because they're real stupid," one student said. Ironically, a majority of white students who have contact with the Oglala Sioux students blamed discrimination on the part of their own ethnic group as the major reason for Indians having problems.[37]

What then happens to the student who is told he is dirty, lazy, and inferior and must undergo school experiences daily which reinforce these attitudes? The statistical data speak for themselves:

> 87 percent dropout rate by the 6th grade at an all-Indian public elementary school near Ponca City, Okla.[38]
>
> 90 percent dropout rate in Nome, Alaska, public schools, with about one-fourth of the students (primarily Eskimo) taking two to three years to get through the first grade.[39]
>
> 21 of 28 Indian students in a Washington 8th grade were non-readers; one-third of the 123 Yakima Indians enrolled in 8th grade of a Washington public school were reading two to six grades below the median level; 70 percent Indian dropout rate; average grade was "D" for the Indian senior high students in public school serving Yakima Indians.[40]
>
> 62 percent Indian dropout rate in Minneapolis Public Schools; between 45 and 75 percent statewide Indian dropout rate;[41] 70 percent Indian dropout rate in parts of California.[42]
>
> 80 percent of the 74 Indian students who entered school in three Idaho public school districts in 1956 dropped out of school before their class graduated.[43] A 1968 study of graduates and dropouts of Lothrop High School in Fairbanks showed a 75 percent dropout rate among native students. A student transferring from a state-operated rural school had the least chance of graduating, and native students receiving the majority of their elementary education in state-operated schools had the highest dropout rate. Seventy-five percent of the native dropouts tested revealed more than enough intelligence to complete high school.[44]

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[36] Websten, Staten W. (ed.), "The Disadvantaged Learner," Chandler Publishing Co., San Francisco, 1966.

[37] Hearings, pt. 4, p. 1882.

[38] Hearings, pt. 2, 1969, appendix, p. 1599.

[39] City of Nome Comprehensive Development Plan, by Alaska Consultants, 1968, pp. 128–130.

[40] Hearings, pt. 5, p. 1935.

[41] Minnesota State Plan for the Education of Indian Children, Minnesota Department of Education, 1969, pp. 23–24.

[42] California Indian Education: Report of the First All-Indian Statewide Conference on California Indian Education, Ad Hoc Committee on California Indian Education, 1349 Crawford Road, Modesto, Calif.

[43] Committee print, "Field Investigation and Research Reports."

[44] Ibid.

Public schools which have been educating Indians for some time reveal by their statistics their failure in educating Indian students. The 10-year-record of Indian students at Union High School near Warm Springs, Oreg., is indicative of the public school record since the 1930's: no progress. In fact, the Indian students graduating from the school between 1956 and 1965 actually showed regression in grade point average in comparison with non-Indians.[45]

Indians have been attending public schools in Klamath, Oreg., for 27 years, yet the Indian dropout rate is 90 percent. That is a 30 percent increase just since the tribe was terminated in 1954.[46] A public school district in western Oklahoma with a 25-percent Indian enrollment has been educating Indians for 40 years. During that period, 11 Indians have stayed in school long enough to graduate.[47] Since the 1930's nine States (California, Idaho, Michigan, Minnesota, Nebraska, Oregon, Texas, Washington, and Wisconsin) have assumed total responsibility for the education of their Indians, but data on Indian education from most of those States, as indicated in some of the examples above, is far from impressive.[48] These public schools have indeed failed their Indian constituents.

Some public schools have made significant attempts in recent years to reach Indian students. There are Elementary and Secondary Education Act funds, for example, which are benefiting Indian students. Five bilingual projects affecting 773 Indian children are being funded under ESEA title VII ($306,000 out of a $7.5 million program). One dropout prevention program affecting 750 Indian children is being funded under ESEA title VIII ($220,000 of a $5 million program). The number of Indian students in public schools affected by the other titles is not known because data on race are not available. Several Teacher Corps programs are aimed at educating Indian children, along with Upward Bound programs involving 1,241 Indians in 17 States. The Indian Upward Bound programs constitute about 5.5 percent of the total Upward Bound budget.[49]

These initiatives are a recognition that a longstanding problem has never been dealt with adequately, that the public schools have not provided their Indian students with an equal educational opportunity. Yet, in toto, these various new program efforts are just barely scratching the surface of the problem, and few if any have had much effect on the core problem of the powerlessness and alienation of Indian communities from the schools their children attend.

But the question needs to be raised whether public schools are entirely to blame for not solving their Indian education problems. Dr. Leon Osview of Temple University, in his consultant report to the subcommittee, says "No." [50] He contends the Federal Government has failed to live up to its responsibilities in providing funds and leadership for assisting public school districts to better understand and meet the special needs of Indian students. He states:

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[45] Comparative Study of Educational Attainment of Warm Springs Indians and non-Indians in the Madras Union High School for the years 1956–65. Dissertation by Robert Severt Johnson, Washington State University, 1967.

[46] Hearings, pt. 5, pp. 1985–1986.

[47] Hearings, pt. 2, p. 848.

[48] Committee print, "Field Investigation and Research Reports."

[49] Data supplied by the U.S. Office of Education.

[50] Hearings, pt. 1, 1969, p. 284.

> Of course, Federal control in public school education is prohibited, and anything which looks like control is potentially disturbing. Even so, the Federal Government has assumed responsibility for Indians, including their education. How then does this responsibility get discharged? Is it ethical for the Government to give over Indian children to public schools, even with Johnson-O'Malley money, and leave it at that? I doubt it.
>
> Indian children are special, if for no other reasons than that they are seriously disadvantaged economically and socially. With respect to Anglo culture they are also culturally disadvantaged. The evidence of widespread lack of positive self-concept, the greater than normal incidence of mental health problems which characterizes the Indian teenage population, the need to provide strong additional language education (English as a second language), as well as all the special problems of acculturation is quite clear. Public schools cannot be assumed to be attuned to all these needs, to have developed programs to deal with them, or to be willing to spend their resources in doing so.
>
> I was shocked to find that BIA does not, apparently as a matter of policy, engage in any programmatic cooperation with public school people, of whose desire and willingness to do justice to their Indian students there can be no doubt. BIA knows about Indian children, or if they don't, they should. Public schools don't, and can't really be expected to, on their own.

How can this leadership best be provided? Dr. Osview's report suggests that more than a change of policy will be required. Federal schools must have the quality and effectiveness that will permit them to become centers of leadership for assisting public schools in meeting the special needs of Indian children. This will be no easy task, for his report also finds the Federal school system woefully inadequate.

Ever since the policy of educating Indians in public schools was adopted, it was assumed that the public schools, with their integrated settings, were the best means of educating Indians. The subcommittee's public school findings—high dropout rates, low achievement levels, anti-Indian attitudes, insensitive curriculums—raise serious doubts as to the validity of that assumption.

B. Federal Legislation

The public school education received by Indian students has been subsidized to some extent by the Federal Government since the 1890's. At that time legislation was passed authorizing the Office of Indian Affairs to reimburse public schools for the extra expense incurred by instructing Indian children.

The purpose of the legislation appeared to be twofold. First, it gave legislative authority to the policy of integrating Indians into the white culture, thus establishing the goal of assimilation and the public schools as the vehicle for attaining that goal. Second, it established the precedent of providing subsidies to public schools in order to get them to assume responsibility for Indian education. The Federal subsidy was necessary, both because there was a reluctance on the part of Indians to enter the schools and because the school district was reluctant to assume the extra costs (in many cases the Indian students lived on nontaxable trust land) and problems anticipated with Indian students. The subsidy was, in effect, an inducement which the State or school district was almost always willing to take in exchange for providing a chair and a desk in a classroom for an Indian.

This subsidizing approach was formalized by the Johnson-O'Malley Act of 1934, which permitted the Bureau of Indian Affairs to contract with States to provide for the education of Indian students. Indian education was further subsidized in the 1950's with passage of Public Laws 81-815 and 81-874, impacted aid legislation which later became applicable to Indians. These three laws, treated separately in this chapter, provide the basic Federal subsidy for public school education of Indian students.

Congress in 1950 enacted two pieces of legislation which, although adopted primarily as the result of defense and military activities, had important implications for Indian education. The acts, Public Laws 81-815 and 81-874, have become known as the federally impacted areas legislation.

Essentially, Public Law 815 provided financial assistance for the construction of school facilities in districts which experienced an increased enrollment due to the presence of federally connected children. Public Law 874 provided moneys to local educational agencies for the additional expenses of education caused by the increase in attendance as the result of Federal activities. The acts have been interpreted, not as a means of providing aid, but as a means of providing payments in lieu of taxes.[51] Indians were included only minimally in the original Public Law 815, and at the request of State directors of Indian education, were excluded from Public Law 874.[52] A 1953 amendment to Public Law 815 brought Indians under its purview, while it wasn't until 1958 that Public Law 874 was amended to include Indians.

1. PUBLIC LAW 81-815, SEPTEMBER 23, 1950

This law, called the "School Facilities Construction Act," provided for the transfer of a number of Indian students from Federal schools to public schools during the 1950's by authorizing Federal assistance in construction of public schools attended by Indians.

The original act made payments to school districts on the basis of a sudden and substantial increase in school enrollment of children who either (1) resided on Federal property with a parent employed on Federal property; (2) resided on Federal property or resided off Federal property with a parent employed on Federal property; (3) were attending a school because of activities of the U.S. Government. Districts received a different amount of money depending upon the categories in which its "increased" enrollment fell. They received the most money, for example, for the section 3(a) pupils because they caused the greatest impact to a district's tax base (their parents lived and worked on tax-exempt land).

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[51] Report of Education Subcommittee of the Senate Committee on Labor and Public Welfare, "Impacted Areas Legislation." August 1965, p. 20

[52] Statement by B. Alden Lillywhite, Deputy Associate Commissioner, Office of Education, Department of Health, Education, and Welfare, at Brigham City, Utah, Sept. 19, 1956. (At the time of the address, Dr. Lillywhite was Associate Director of the School Assistance in Federal Affected Areas Division.)

Initially, the act contained no specific provisions for assisting school districts educating children living on Indian lands. Indian reservations were included, though, under the definition of "Federal property." But because of the enrollment-increase requirement, most districts educating Indians did not qualify for assistance. Their problem wasn't one of large increases in school enrollment, but rather of large numbers of children not attending public schools because no facilities were available to them.[53]

In 1953, a provision was added to the act to include Indians under its jurisdiction.[54] This amendment was designed specifically to provide facilities to districts which did not qualify under the act's eligibility provisions because the districts were not characterized by the substantial increases which occurred around military installations. Almost all funding for Indians has been made under this section of the act, which is now designated as "section 14." Funds are granted under this section for construction of minimum school facilities for Indian students, when the district has neither bonding capacity nor other resources sufficient to construct the needed facilities.

2. PUBLIC LAW 81–874, SEPTEMBER 30, 1950

The Federally Impacted Areas Act was passed on September 30, 1950, to provide school districts affected by Federal activities with funds for general operating expenses. It is regarded as "in lieu of taxes" legislation because it provided money to school districts which suffer a loss in tax revenue because of the presence of Federal property. The rate of payment depends upon whether the student and his parent live and/or work on Federal property, and the cost of education in comparable communities.

Since the law's inception, "Federal property" has been defined to include Indian reservations. But because many public schools educating Indians were utilizing Johnson-O'Malley money for general operations, Indians were excluded from the act's provisions until 1958. (The Johnson-O'Malley Act provided money to districts for the needs of Indian students in public schools.) In 1958 the differentiation was made that whereas Johnson-O'Malley funds were to be used for special services for Indian students, special services didn't necessarily mean educational services.[55] A district receiving Johnson-O'Malley money could therefore also seek Public Law 874 money for educational purposes. Congress permitted this dual funding because it recognized a distinction between providing general educational budget support in lieu of taxes and providing special programs, such as transportation and hot lunches, to meet special needs of Indian students.[56]

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[53] Statement by Dr. B. Alden Lillywhite, at Window Rock, Ariz., Feb. 18, 1962.

[54] Public Law 82–276, Aug. 8, 1953.

[55] Lillywhite, Brigham City, op. cit.

[56] Statement by Dr. B. Alden Lillywhite to Navajo Education Conference at Window Rock, Ariz., Feb. 18, 1962.

The distinction in use of funds under the two laws is obliterated, though, by the continued use of JOM money for general budget support in lieu of taxes. In fact, JOM money now is used primarily as a budget-balancing device to make up the difference between a school district's expenditure and revenues after Public Law 874 money has been added. JOM assistance is not given until after a district's eligibility is determined under Public Law 874.[57] The "in lieu of taxes" provision rather than special needs has thus become the determining factor.

In 1968-69, Public Law 874 provided about $19 million for public school districts educating Indians. Approximately 60,000 Indian students benefited from the act because their parents lived and worked on Federal property. Another 20,000 Indians received partial benefits because their parents lived on and worked off, or lived off and worked on Federal property.[58] (See chart at end of section.) Nationwide, about 300,000 students are eligible for assistance under the "live and work on Federal property" category, and about 2 million qualify under the remaining categories.[59] In fiscal 1969, $505.9 million was appropriated under this act.

3. THE FUNDING PROBLEM

Public Laws 815 and 874 have served as inducements for a number of years to public schools to get them to accept Indian children, but insufficient funding in recent years has left many districts with Indian students but no funds to educate them.

Public Law 815

In the first fiscal year that section 14, the section applicable to Indians, was used in effect, $6.6 million was appropriated for school construction. The following year, 1955, the appropriation was $.4 million. Since that year the appropriation for construction of schools educating Indians has decreased. Because of limited appropriations, requests for 1968 and 1969 under sections 5, 8, and 14 have not been funded.[60]

Section 14 has not been getting funded because the language of the law gives priority in funding to other sections. First priority goes to section 16 funds, which provide assistance in disaster situations. The law authorizes use of funds appropriated for other sections of the act if necessary to provide the disaster assistance needed. The other priority sections are section 9, where the effect of Federal activities will be temporary, and section 10, where tax revenues are not available for free public education and no local agency is able to provide suitable free public education.

In 1968, requests under the full act totaled about $80 million. Congress appropriated about $22.9 million. In 1969 when requests again totaled about $80 million, Congress appropriated $14.7 million, or 19 percent of authorization.[61]

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[57] Interview with Charles Zellers, BIA Assistant Commissioner for Education, May 22, 1969.

[58] School Assistance to Federally Affected Areas (SAFA) Division, U.S. Office of Education.

[59] Seventeenth annual report of the Commissioner of Education, Part II "Administration of Public Laws 874 and 815," Office of Education, Department of HEW, June 30, 1967.

[60] SAFA Division, U.S. Office of Education.

[61] Legislative Division, Office of Education.

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PUBLIC LAW 81-815

	Authorization	Appropriation	Percent of authorization
Fiscal year:			
1951	74, 500, 000	74, 500, 000	100
1952	75, 000, 000	50, 000, 000	67
1953	195, 000, 000	195, 000, 000	100
1954	125, 000, 000	125, 000, 000	100
1955	118, 500, 000	118, 500, 000	100
1956	33, 900, 000	33, 900, 000	100
1957	108, 500, 000	108, 500, 000	100
1958	98, 650, 000	98, 650, 000	100
1959	75, 400, 000	75, 400, 000	100
1960	61, 135, 000	61, 135, 000	100
1961	63, 392, 000	63, 392, 000	100
1962	61, 942, 000	61, 942, 000	100
1963	63, 686, 000	63, 686, 000	100
1964	60, 406, 000	23, 740, 000	39
1965	58, 400, 000	58, 400, 000	100
1966	50, 078, 000	50, 078, 000	100
1967	58, 000, 000	52, 937, 000	91
1968	80, 000, 000	22, 937, 000	29
1969	79, 162, 000	14, 745, 000	19
1970	79, 347, 000		

Source: School Assistance for Federally Affected Areas Division (SAFA), U.S. Office of Education.

PUBLIC LAW 81-815, SCHOOL CONSTRUCTION PROJECTS: ASSISTANCE TO SCHOOL DISTRICTS CLAIMING CHILDREN RESIDING ON INDIAN LANDS (1951-69)

State or territory	Number of projects	Sec. 5	Sec. 14	Total federal funds	Non-Federal funds	Total cost	Facilities provided				
							Classrooms	Multi-purpose rooms	Libraries	Administration space	Teacher averages
Total	238	$6,845,765.78	$42,313,024.57	$49,158,790.35	$6,014,383.18	$55,173,173.53	1,418	78	63	68	81
Alaska[1]	5	303,000.00	722,948.75	1,025,948.75	229,552.01	1,255,500.76	21	1	2	2	
Arizona	47	3,130,002.56	16,837,269.23	19,967,271.79	177,102.31	20,144,374.10	260	23	18	24	32
California	6		860,990.99	86,990.99	151,876.82	1,012,867.81	35	1		2	2
Colorado	3	127,312.00	149,500.00	276,712.00	24,585.97	301,297.97	19				
Guam	3		1,069,411.00	1,069,411.00	30,691.50	1,100,102.50	62	3	3	3	3
Idaho	3	51,875.00	174,976.97	226,851.97	318,309.40	545,161.37	24				
Minnesota	7		618,565.34	618,565.34	211,249.90	829,815.24	19	4	4	1	1
Montana	32	368,494.00	3,157,029.40	3,525,523.40	821,170.90	4,346,694.30	119	10	3	8	10
Nebraska	2		187,660.31	187,660.31	14,879.00	202,539.31	9	1	1		
Nevada	1		60,000.00	60,000.00	105.03	60,105.03	2	1			
New Mexico	40	2,281,034.00	13,734,879.25	16,015,913.25	1,446,693.57	17,462,606.82	300	15	19	16	27
North Dakota	5	24,575.00	312,119.00	345,694.00	606,934.83	952,628.83	34	[illegible]	2	2	
Oklahoma	47	82,780.00	2,107,604.41	2,190,384.41	798,766.19	2,989,150.60	155	[illegible]	8	8	
South Dakota	11	262,040.22	208,616.00	470,656.22	668,837.70	1,139,493.92	33	2	1	1	2
Utah	3	149,595.00	144,963.00	294,558.00	38,445.00	333,003.00	2	1		1	
Washington	8		660,741.64	60,741.64	53,797.00	714,538.64	7	3			21
Wisconsin	8		951,529.22	951,529.22	274,011.03	1,225,540.25	32	2	1		
Wyoming	7	65,058.00	345,320.06	10,378.06	147,375.02	557,753.08	15	1	1		1

[1] The Alaska State Department of Education makes application with respect to schools in unorganized areas. During the period 1951 through 1967, the Alaska State Department of Education received $5,851,132 in Public Law 81-815 funds under sec. 5 of the act. Membership data for earlier years are not available. However, under the 1967 application, a substantial portion of children were claimed with respect to homesteads (including native allotments and townsites), Indian health hospitals, Indian schools, native reserve lands, public domain lands, restricted deeds and townsite petitions (unpatented). The number of children living on and having a parent employed on such lands (subsec. 5(a)(1) category) was 1,643, or 39.2 percent of the total membership of all children (4,195). The number of children living on such properties (subsec. 5(a)(2) category) was 322, or 7.7 percent of the total membership. The maximum grant under the application is $797,438. Based on above percentages, $373,999 may be considered attributable to children claimed with respect to Alaska "Indian" lands. Public Law 81-815 funds in amount of $535,000 have been reserved for a project now under construction, at a regional high school near Nome, to provide a new physical education facility, exercise room, and remodeling of existing building to provide 2 homemaking instruction rooms and one general classroom.

Table includes projects completed, under construction, and for which funds have been reserved during fiscal 1969.

Source: SAFA Division, U.S. Office of Education.

Public Law 874

One of the main problems with Public Law 874 has been late funding. Many districts educating Indians, particularly those on Indian reservations, depend upon Public Law 874 for a substantial part of their budgets. The Ingebretson, North Dakota, school district, for example, depends upon Public Law 874 funds for 74.9% of its operating budget. For Lower Brule, South Dakota, the figure is 63.9%, for Endora, Kansas it is 57.1% and for Kayenta, Arizona School District it is 58%. Other states with districts having substantial Public Law 874 entitlement for Indians include Montana, Alaska, Colorado, Michigan, Minnesota, Nebraska, New Mexico, Oklahoma, Washington, Wisconsin, and Wyoming.[62] Late payments of Public Law 874 money means an excessive hardship to all these districts. The subcommittee has reports from a number of such districts who have indicated that late funding and partial entitlement annually places them in an uncertain position as to whether they will have to reduce their faculties or services in midyear.[63] The legislation has been between 90 and 100 percent funded every year. The fiscal 1969 appropriation was 90 percent of full entitlement.[64]

PUBLIC LAW 81-874

	Authorization	Appropriation	Percent of authorization
Fiscal year:			
1951	29,686,010	29,080,788	98
1952	51,570,000	51,570,000	100
1953	60,500,000	60,500,000	100
1954	72,350,000	72,350,000	100
1955	75,287,517	75,000,000	100
1956	90,000,000	90,000,000	100
1957	113,050,000	113,050,000	100
1958	127,000,000	127,000,000	100
1959	157,362,000	157,362,000	100
1960	186,300,000	186,300,000	100
1961	217,300,000	217,300,000	100
1962	251,330,356	247,000,000	98
1963	282,322,000	282,322,000	100
1964	320,670,000	320,670,000	100
1965	359,450,000	332,000,000	92
1966	388,000,000	388,000,000	100
1967	433,400,000	416,200,000	96
1968	598,130,000	598,130,000	100
1969	560,950,000	505,900,000	90
1970	622,246,000		

Source: SAFA Division, U.S. Office of Education.

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[62] SAFA Division, U.S. Office of Education.

[63] Letter from Superintendent D. L. MacKinnon, Jr., of Hoonah, Alaska, public schools to Senator Ernest Gruening, Feb. 5, 1968.

[64] Division of Legislation, Office of Education, Department of Health, Education, and Welfare (see accompanying chart).

NUMBER OF PUPILS CLAIMED AGAINST INDIAN PROPERTIES (1968–69) UNDER P.L. 874

	Categories of Entitlement			Number of Public Law 874 applicants claiming	Amount of entitlement	Total Public Law 81-874 entitlement
	sec. 3(a)	sec. 3(b)1	sec. 3(b)2			
United States	59,694	6,380	14,376	695	19,461,040	84,061,892
Alaska	1,354	198	202	18	888,405	15,542,869
Arizona	13,769	342	1,436	79	3,862,972	7,619,009
California	871	800	759	51	433,652	5,042,608
Colorado	752	22	218	6	306,489	638,431
Florida	155	29	34	4	46,879	1,471,643
Idaho	803	80	568	18	316,220	1,251,903
Iowa	58	115		1	46,300	46,300
Kansas	57	13	193	9	64,569	296,402
Michigan	104	63	20	4	39,900	184,243
Minnesota	1,742	158	78	17	519,092	661,794
Montana	4,168	209	1,244	52	2,023,226	2,409,572
Nebraska	497	12	76	5	203,284	213,715
Nevada	875	381	210	12	311,852	3,850,472
New Mexico	13,541	1,092	3,146	26	3,915,934	10,288,980
North Carolina	205		82	2	61,624	107,278
North Dakota	1,179	49	341	21	382,430	1,308,319
Oklahoma	4,759	1,194	1,538	199	1,665,696	8,709,827
Oregon	586	19	144	10	256,471	1,137,735
South Dakota	3,904	142	1,221	47	1,567,265	10,922,236
Utah	1,327	12	755	14	429,286	5,993,964
Washington	2,563	934	1,897	78	1,089,109	5,169,242
Wisconsin	603	513	55	14	312,219	417,707
Wyoming	1,041	3	159	8	718,166	777,643

Source: School Assistance to Federally Affected Areas, SAFA Division, U.S. Office of Education.

4. JOHNSON-O'MALLEY ACT, APRIL 16, 1934

The Johnson-O'Malley act authorized the Secretary of Interior to contract with States or territories for the education, medical attention, agricultural assistance, and social welfare of Indians in the State.[65] In 1936 the act was amended to its present form. The amendment expanded the contracting authority of the Secretary of the Interior, giving him the authority to contract with State universities, colleges, schools, or with any appropriate State or private corporation, agency, or institution.

The intent of the act as expressed in the identical reports submitted to each House of Congress, was to "arrange for the handling of certain Indian problems with those States in which the Indian tribal life is largely broken up and in which the Indians are to a considerable extent mixed with the general population."[66] The report noted that in many areas Indians are mixed with the white population, and therefore "it becomes advisable to fit them into the general public school scheme rather than to provide separate schools for them."[67] The act thus gave legislative authority to the Bureau's policy of gradually turning over its education function to the public schools. The act also facilitated Federal-State cooperation by making contracts negotiable at the State level rather than the local. It has become one of the primary means of Federal subsidization of Indian education.

In 1935, California became the first State to contract for and under Johnson-O'Malley, and by 1940, contracts had also been negotiated with Arizona, Minnesota, and Washington.[68] By 1951, 14 States and five districts within States were receiving $2,505,933 in Johnson-O'Malley funds. The estimated expenditure for fiscal 1969 is $11,552,000, or approximately $174 per student.[69]

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[65] 48 Stat. 596.
[66] H. Rept. 864, Mar. 2, 1934, and S. Rept. 511, Mar. 20, 1934.
[67] Ibid.
[68] Felix Cohen, "Handbook of Federal Indian Law," 1940 ed., p. 241.

Since the act's inception, the number of Indian students in public schools has increased to about two-thirds of all Indian students. Although the act brought about increased enrollment of Indians in public schools, its success in meeting the educational needs of those students is open to serious question.

Why hasn't the Johnson-O'Malley act dealt adequately with the needs of Indian students? The problem lies not so much with the act itself, as with the manner in which it has been interpreted. For though the language of the act is broad, its interpretation has been narrow, and therefore the intent of the legislation has not been realized.

The Bureau of Indian Affairs, for example, has adopted a more restricted eligibility requirement than that suggested by Congress. Congressional intent was to service Indians in States "in which the Indian tribal life is largely broken up and in which the Indians are to a considerable extent mixed with the general population." [70] The Bureau's policy is to serve Indian children (one-fourth or more Indian blood) "whose parents live on or near Indian reservations under the jurisdiction of the Bureau of Indian Affairs." The policy statement declares that "the tax-free status of land where the parents live will be the major consideration in determining the eligibility of the children." [71]

Despite the act's expressed intent to deal only with Indian needs, the Johnson-O'Malley money has been traditionally used by school districts to supplement their general operating budget, thus benefiting all their students. The Code of Federal Regulations (1958) sanctions this use by stating that Johnson-O'Malley money can be used to meet the financial needs of those school districts which have "large blocks of nontaxable Indian-owned property * * * and relatively large numbers of Indians which create situations which local funds are inadequate to meet."

Use of the money for "meeting educational problems under extraordinary and exceptional circumstances" is limited by regulation to those districts which receive Public Law 81-874 money to meet partial costs of normal school operation. (Public Law 81-874 funds provide "in lieu of taxes" money to districts which, because of the presence of tax-exempt land, need additional money for normal school operations.) With the inclusion of Indians in Public Law 81-874 in 1958, that law took care of some of the basic support money heretofore provided by Johnson-O'Malley. Yet the policy of the Bureau continues to place the tax-exempt status of land as the prime determiner of Johnson-O'Malley eligibility rather than educational need.[72]

The Johnson-O'Malley money not used for basic support (operation and maintenance) is used to provide lunches, transportation, administrative costs and—occasionally—special instructional services. Twenty to twenty-five percent of Johnson-O'Malley expenditures are for school lunches for Indian students, as compared to 3.8 percent of Title I, ESEA, expenditures for feeding programs. About 5 percent of the annual expenditure is for administration, an amount generally in line with expenditures for administration under the ESEA. Indian Education directors in State departments of education which hold Johnson-O'Malley contracts are paid out of the Johnson-O'Malley appropriation. The Bureau reports that in 1969, it budgeted 30 percent of the funds for "special services."

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[69] BIA Branch of Public School Relations.
[70] H. Rept. 864, Mar. 2, 1934
[71] Indian Affairs Manual, 62 IAM 3.5
[72] Indian Affairs Manual, 62 IAM 3.25.

In some States, special services means providing bus service for Indian children. In others it means buying volleyball standards and tumbling pads. Some use it to pay off the mortgage on a bus, increase teacher salaries, or hire attendance officers. In a few cases it is used to hire teacher aides and provide libraries and study halls for Indians. There is no detailed accountability of the use of the money.

Today, 35 years after it was originally adopted, it is still highly questionable if the Johnson-O'Malley Act is fulfilling the intent of Congress. It is true that more Indians are in public schools, but it is doubtful if the needs of these Indian children are being met any more than they were 35 years ago.

Conflict with Public Law 874

One of the main problems with the act has been the conflict between it and Public Law 874. Public Law 874 provides funds for school districts which educate large numbers of children whose parents live or work on tax-exempt property. The law became applicable to Indians in 1958, and since that time, school districts educating Indian children have received compensation for the nearby presence of tax-exempt reservations.

Congress never intended that duplicate payments should be made to the same school for the same purpose by two different Federal agencies. But often, both Public Law 874 and Johnson-O'Malley money do just that. The Federal regulation permits such use of Johnson-O'Malley money when Public Law 874 funds are insufficient for general school operations.[73] Few local administrators are likely to admit they have enough money for normal school operations when they know they can get more, and thus Johnson-O'Malley is continually drained for normal operating budget purposes.

Dr. Alphonse Selinger of the Northwest Regional Educational Laboratory testified before the subcommittee that he had encountered at least one principal who admitted giving passing grades to Indian students only to keep them in school so the district could receive Johnson-O'Malley money. Officials from two different schools told Dr. Selinger there was very little they could do for Indian children, so they kept them in the school for the additional funds they brought into the system.[74]

Generally, though, the regulation limits Johnson-O'Malley funds to districts not qualifying under Public Law 874 and to those Public Law 874 districts in which there are "educational problems under extraordinary and exceptional circumstances." (To qualify under Public Law 874 a district must meet a 3-percent impact requirement and have a minimum daily attendance of 10 federally connected pupils.)[75] In practice, the money is used as a budget-balancing device for those districts receiving Public Law 874 money. Johnson-O'Malley makes up the difference between a district's education expenditures and its revenues after Public Law 874 has been included.[76]

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[73] 62 IAM 3.27.

[74] Hearings before the Senate Subcommittee on Indian Education, pt. VI.

When Public Law 874 became applicable to Indians in 1959, the Johnson-O'Malley budget suffered considerably. The 1959 Johnson-O'Malley appropriation of $7,953,000 was cut to $5 million in 1960. Although Johnson-O'Malley and Public Law 874 serve different functions, Public Law 874 was, and continues to be, interpreted by BIA officials as replacement money for Johnson-O'Malley.

The problem with a school district replacing Johnson-O'Malley funds with Public Law 874 aid is that there is no guarantee the Public Law 874 money will be used to benefit Indian students. Such money goes to the school district itself, and any benefit received by Indian children would only be indirect. Johnson-O'Malley funds, though, are supposed to aid only Indian children.[77]

Congress also has no control over the use of Public Law 874 money. School districts apply it in their operating budget as they see fit. The Federal Government is prohibited from setting standards for its use or requiring, for example, that it be used for special Indian needs.

Excludes Many Indians

A most important problem with Johnson-O'Malley is that, as presently administered, it excludes from participation Indians who have left the reservation. Thousands of such Indians now live in urban areas, where Indian children attend public schools. Their needs are being ignored just as much there as in rural areas. In Minneapolis, Minn., for example, an estimated 10,000 Indians live in the city. The Indian dropout rate in the city's public school system is more than 60 percent.[78] Some 45,000 Indians live in California cities.[79] The Indian dropout rate in some public schools there approaches 70 percent.[80] Most urban school districts are not eligible for either Johnson-O'Malley or Public Law 874 because the Indian parents do not live or work on tax-exempt reservations. Thus these Indians are not eligible for the special-needs funds Congress intended for them.

A special case exemplifying Johnson-O'Malley problems can be found in California, where some 80,000 Indians are now without Johnson-O'Malley assistance. The first State to enter into a contract with the BIA under this act, California has since had its Johnson-O'Malley program phased out. It was completely terminated in 1958.

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[75] Impacted areas legislation report and recommendation, prepared for Senate Subcommittee on Education by the U.S. Department of Health, Education, and Welfare, August 1965, pp. 537–538.

[76] Interview with Charles Zellers, BIA Assistant Commissioner for Education, May 22, 1969.

[77] 48 Stat. 596 (Johnson-O'Malley Act).

[78] Minnesota State plan for the education of Indian children, Minnesota Department of Education 1969.

[79] "The Education of American Indian : An Evaluation of the Literature," Brewton Berry, p 25.

[80] Ibid., p. 29.

The reasons for the withdrawal of services are many. Many people, including BIA personnel, were under the impression that the termination policy espoused in the midfifties would lead to termination of all Indian aid policies, and California seemed as good a place as any to start cutting programs. There were some who claimed Indians were already receiving an adequate education in California without Federal funds. Others were led to believe—falsely—that Public Law 874 and Public Law 815 would adequately replace Johnson-O'Malley funds. Then in 1953, California's annual Johnson-O'Malley funding of $318,000 was reduced by $50,000. The California appropriation was reduced another $50,000 every year until by 1958, nothing was appropriated.

Noting such evidence as the fact that California high schools with relatively large Indian enrollments have dropout rates three times higher for Indians than for non-Indians, California has sought the return of Johnson-O'Malley money. California educators have argued that many Indians have educational problems requiring special attention and that Public Law 874 has not replaced the need for Johnson-O'Malley funds. But the BIA appears to be following a policy of "once withdrawn, always withdrawn," and thus California Indians continue without the moneys for programs to meet their special needs.[81]

Three other eligible States west of the Mississippi are not under Johnson-O'Malley State contracts. Oregon terminated its contract after being led to believe that Public Law 815 and Public Law 874 would take care of the education of the Indian, and that the BIA intended to terminate all services to Indians shortly anyway. Utah terminated its contract because officials felt the State could get more money under Public Law 874 than Johnson-O'Malley.[82]

In 1969, Wyoming sought a State contract for its Indians, but has been unable to get approval from the Bureau's Washington office. Wyoming school officials claimed their plan called for liaison people between Indian communities and school districts to assist in developing better relationships between the two groups. The Wyoming State education superintendent said the BIA completely rewrote the State's proposed plan, and that the "watered-down" version offered in its place was hardly worthwhile.[83] Bureau officials have indicated their reluctance to give Wyoming Johnson-O'Malley money because they contend that Public Law 874 money is adequately serving the needs of Indians in Wyoming public schools.[84]

Complaints are innumerable regarding the administration of Johnson-O'Malley. For one thing, the levels of aid are extremely uneven. In

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[81] A Johnson-O'Malley educational program for California Indians, State Advisory Commission on Indian Affairs, June 1967.

[82] Ibid.

[83] Interview with Wyoming State Superintendent of Education, June 1969.

[84] Op. cit., interview with Zellers.

1967–68, Alaska received $690 per Johnson-O'Malley pupil while Oklahoma received $37. Arizona received $236 per pupil while neighboring New Mexico received $135. Even within States, the levels vary greatly. In 1966–67, Santa Fe County, N. Mex., received $310 per Johnson-O'Malley pupil, while McKinley County (Gallup), N. Mex., received $41. According to Dr. Anne M. Smith, anthropologist and author of "Indian Education in New Mexico," "It has not proved possible to discover on what policy basis the allocation of funds is made."[85]

One State, Arizona, has been reducing State aid to districts which receive Johnson-O'Malley funds. Several States were doing the same thing with regard to Public Law 874 money, but the courts ruled against the practice. (See, for example, *Shephard* v. *Godwin*, 280 F. Supp. 869, 1968) BIA officials are hopeful the Arizona legislature will resolve the problem before court action is necessary.

Poor accountability

A major problem with the Johnson-O'Malley program is poor accountability of the funds administered. The legislation requires the State or contracting district to submit an annual report showing expenditures, but far too often these reports are summary and undetailed. Except for a school enrollment data form, there is little uniformity in reporting techniques. One State, for example, will report transportation expenditures under basic support, whereas another State will report such expenditures under special services. In neither case is an explanation of the purpose of the transportation given. The special services sections are almost entirely devoid of meaningful explanations of the services provided.

The reports also provide no evaluation of the previous year's programs. There is apparently never any attitudinal or achievement testing to test the effect, if any, the Johnson-O'Malley programs in particular school districts are having upon Indian students.

Utilizing the amendment

The Bureau of Indian Affairs has not been particularly creative in using the expanded contracting authority granted by the 1936 amendment to the act for educational projects. This amendment authorized the Bureau to contract Johnson-O'Malley projects with State universities, colleges, schools, and appropriate State or private corporations, agencies, and institutions. In the past the amendment has been used for such contracts as those with: (1) The Idaho Elks Rehabilitation Center at Boise for the care of Alaska native children in specialized schools; (2) The Utah School for the Deaf and Blind, for its Indian patients;

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[85] Anne Smith, Indian Education in New Mexico, University of New Mexico, 1968.

and (3) The Salvation Army Booth Memorial Home at Anchorage for the care of native children and eligible adults.

In recent years, the contracting authority has been used for more innovative programs. Johnson-O'Malley money went to the Rough Rock Demonstration School, for example, since it was a nonprofit corporation. A contract was negotiated with the University of Alaska to develop a model of a cultural and educational center for Alaskan natives. And most recently, a contract has been negotiated with the United Tribes of North Dakota, set up as a nonprofit corporation, for the operation of a training center.[66]

Lack of Indian participation

Johnson-O'Malley is supposed to serve the needs of Indian students, but Indians rarely get an opportunity to decide how the money should be spent. The proposals are usually drawn up by school administrators of white, middle-class backgrounds who direct the money toward general school operations or problem-solving techniques which might work for the middle-class student, but not the Indian. The people who are affected most by the law have little to say about how the money should be used to help their children.

New approaches by the BIA

In recent years, the Bureau has looked at Johnson-O'Malley a little more imaginatively than in the past, and has funded a few programs which deal more specifically with the needs of Indian students. A home-visitation program in Oklahoma, for example, is working to improve relations between the Indian home and the school. A night study hall for Indians was established in Nevada. Teacher workshops designed to help teachers in dealing with the special needs of Indian students have become more common. A resource center which sends out a circuit rider is now operating in Alaska. In an attempt to get away from the institutional boarding school concept, Johnson-O'Malley money is also being used to set up a home boarding program so that students can live-in with families. Bureau officials also have their sights on Johnson-O'Malley kindergarten programs as well as model school programs for each State with a Johnson-O'Malley contract.

To streamline Johnson-O'Malley procedures, the Bureau tries to confer regularly with State education officials so that the States can share information and hear new Johnson-O'Malley approaches. Two field men, one in Albuquerque and one in Aberdeen, devote a good share of their time to working with State directors and tribal groups in helping them formulate the best possible Johnson-O'Malley budget. The field men are also expected to meet with tribal groups and consider their recommendations for Johnson-O'Malley usage. Bureau officials report that funding for this kind of activity is low, and that such activity often has to be conducted on a limited basis.

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[66] Interview with J. Leonard Norwood, BIA Acting Commissioner, June 1969.

Johnson-O'Malley Education Contracts, 1969

Area and State	
Aberdeen	$1,295,000
Nebraska	240,000
North Dakota	310,000
South Dakota	745,000
Albuquerque: Colorado	170,000
Anadarko: Kansas	20,000
Billings	200,000
Montana	180,000
Wyoming	20,000
Juneau: Alaska	1,485,000
Minneapolis	665,000
Minnesota	375,000
Wisconsin	235,000
Iowa (Tama)	55,000
Muskogee	587,000
Oklahoma	580,000
Mississippi	7,000
Navajo	3,275,000
New Mexico	1,655,000
Peripheral	1,620,000
Phoenix	3,465,000
Arizona	3,370,000
Nevada	95,000
Portland	370,000
Idaho	195,000
Washington	175,000
Seminole (agency): Florida	20,000
Total	11,552,000

NOTE.—Total number of students, 66,218.

Source: Bureau of Indian Affairs.

JOHNSON-O'MALLEY EXPENDITURES BY STATE AND PURPOSE, FISCAL YEAR 1968

State	Administration	Lunches	Other parental cost[1]	Operation and maintenance (basic support)[1]	Special services[1]	Total expenditures
Alaska	$60,000	$135,215		$735,584		$930,800
Arizona	75,437	307,608		2,571,902	$51,464	3,006,411
Colorado	4,000	20,520	$9,800	68,000	40,300	142,620
Florida		10,128			200	10,328
Idaho	13,437	29,150		108,028	10,835	161,450
Iowa		4,865		45,135		50,000
Kansas	3,263				17,737	21,000
Minnesota	50,462	109,842		104,696	18,000	283,000
Montana	29,018	80,895		5,096	12,036	127,045
Nebraska	9,681	27,322		85,145	71,350	193,498
Nevada	9,761	41,243		5,308	35,688	92,000
New Mexico	50,000	589,055		354,326	531,489	1,524,870
North Dakota	13,470	56,129		204,901		274,500
Oklahoma	46,364	316,267	5,746	75,736	105,887	550,000
South Dakota	22,840	112,994		456,911	36,255	629,000
Washington	20,061	23,863		42,288	63,813	150,025
Wisconsin	22,237	48,810		73,953	35,000	180,000
Wyoming				12,525		12,525
Peripheral (dormitories)		27,068	34,020	1,403,876	46,000	1,510,964
Oshrin (hospital)					7,000	7,000
Total	430,031	1,940,975	49,566	6,353,410	1,083,054	9,857,036

[1] The remainder of the expenditures was placed in these 3 general categories and represents a variety of items.

Note: The above information was taken from the States' annual reports. The cost of lunches and administration was in sufficient detail to provide an accurate breakdown.

Source: Bureau of Indian Affairs.

JOHNSON-O'MALLEY ENROLLMENTS, AND EXPENDITURES, 1967-68

State	JOM enrollment	JOM expenditure	Estimated expenditure per pupil
Alaska	1,349	930,800	690
Arizona	12,765	3,006,411	236
Colorado	707	142,620	202
Florida	219	10,328	47
Idaho	1,492	161,450	108
Iowa	116	50,000	431
Kansas	91	21,000	231
Minnesota	2,577	283,000	110
Mississippi	20	4,500	225
Montana	2,300	127,045	55
Nebraska	675	193,498	287
Nevada	1,535	92,000	60
New Mexico	11,320	1,524,870	135
North Dakota	1,553	274,500	176
Oklahoma	14,584	550,000	38
South Dakota	4,187	629,000	150
Washington	3,763	150,025	40
Wisconsin	1,183	180,000	152
Wyoming	20	12,525	626
Peripheral dorms (Navajo)	2,220	1,510,964	681
Oshrin Hospital	7	7,000	1,000
Total	62,676	9,861,536	157

Source: Bureau of Indian Affairs.

JOHNSON-O'MALLEY FUNDS APPROPRIATED FOR FISCAL YEARS 1944-69

Fiscal year	Amount appropriated	Fiscal year	Amount appropriated
1944	$1, 020, 055	1957	$6, 381, 000
1945	370, 215	1958	7, 353, 000
1946	449, 455	1959	7, 953, 000
1947	1, 237, 719	1960	5, 000, 000
1948	1, 442, 826	1961	5, 100, 000
1949	1, 636, 847	1962	6, 598, 000
1950	2, 250, 000	1963	7, 298, 000
1951	2, 503, 190	1964	7, 398, 000
1952	2, 548, 190	1965	7, 898, 000
1953	2, 761, 109	1966	8, 648, 000
1954	3, 168, 535	1967	9, 452, 000
1955	3, 535, 430	1968	9, 952, 000
1956	5, 425, 475	1969	11, 552, 000

Source: Bureau of Indian Affairs.

C. THE TRANSFER POLICY

Despite evidence of the failure of public schools to provide Indian students with an adequate education and despite the absence of a commitment by local, State or National authorities to provide Indians with an equal education, the Bureau of Indian Affairs continues its policy of transferring Indians into public schools. Between 1930 and the present, the number of Indian students attending public schools has increased from one-half to two-thirds of all Indian students enrolled in schools. In 1926, about 37,700 Indian students were in public schools.[87] In 1968 there were about 90,000.[88] Nine States (California, Idaho, Michigan, Minnesota, Nebraska, Oregon, Texas, Washington, and Wisconsin) had assumed complete responsibility for educating Indians within their States.

1. ANALYSIS

The transfer procedure employed by the Bureau has been discretionary. When the Bureau felt a public school was ready to handle Indian students, the change was effected. The transfer was often a gradual process, involving a phasing out of the educational services at the Indian school.

Former Bureau Commissioner Robert Bennett testified before the subcommittee that after 1950 the Bureau undertook a "mutual agreement" policy in regard to transfer. When the Bureau decided that the Indian community and the school district were mutually agreeable to the transfer, the transfer was made. Bennett said the Bureau's latest policy was one of "mutual readiness"—with the stipulation that no transfer be effected without the majority approval in a referendum of the Indian people affected.[89]

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[87] "The Problem of Indian Administration," Lewis Meriam, p. 416.

[88] Division of Public School Relations, Bureau of Indian Affairs.

[89] Hearings before the Subcommittee on Indian Education, U.S. Senate, pt. VI.

Since Bennett is no longer Commissioner, and since the Bureau has not issued a statement regarding its transfer policy under its new commissioner, the exact policy of the Bureau is not known. The Bureau's official policy on transfer, recorded in a 1952 regulation, states that Indian students should be enrolled in public schools when public schools are "within normal transporting distance of Indian homes," and that "the transfer of responsibility for education of Indian children to public schools should be *completed* wherever such a transfer of responsibility is feasible.[90]

No particular criteria appear to be used to determine when a school is "ready" to accept Indian students. This determination continues to be made arbitrarily by the Bureau of Indian Affairs. No evaluation of the quality of education in the public school is done before the transfer is effected. According to a Bureau official, "We know generally what their education program is." The Bureau's only requirement seems to be that the public school has enough space and personnel to handle the additional students.

The Bureau's means of determining when Indians are "ready" for a transfer is even more puzzling. In the past it appears that the determination was made by the Bureau without consulting with the Indians affected by the change. The Indians were usually informed of the transfer after the decision had been made.

2. MESQUAKIE CASE STUDY [91]

A case exemplifying the Bureau's transfer policy involves the Mesquakie Tribe of Tama, Iowa. The tribe's conflicts with the BIA over the closing of their settlement day school and the transfer of those students to the local public school are recorded in the following case study.

The Mesquakie Indians of Tama, Iowa, have had a history of conflict. In the early 1700's their raiding practices on French shipping made them an object of extermination. In 1856, they disagreed with their Sac and Fox brethren in Kansas over the issue of acculturation, and moved to Iowa, establishing their own settlement on the Iowa River near Tama.

In 1897, they became embroiled in a controversy with the BIA over sending their children to a boarding school which educated "in the white man's way," and for 3 years in the 1930's, they withheld their children from the white man's public schools because of the hostile attitude toward Indians in the nearby white community.

It was not unusual, therefore, that when the Bureau of Indian Affairs announced in July, 1968 its intention to transfer all Indian children from the Settlement Day School to the Tama public schools that the Mesquakies refused to comply.

The Mesquakies had been sending their children to a day school operated in their settlement by the BIA since 1940. The school contained grades one through eight. Most Mesquakie children attended high school at boarding schools. A few attended the local public schools, but the Indians were not looked upon fondly by the area's white citizenry, and thus the Indians shied away from the public schools.

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[90] Indian Affairs Manual, sec. 201.

[91] Information compiled from hearing testimony of Mesquakies (pt. 1, 1969), correspondence from Bureau of Indian Affairs officials, the report prepared for the subcommittee by Paul Petrafeso, and court records of the U.S. district court, Cedar Rapids, Iowa.

But in 1954, the Bureau began to phase out the day school. In 1954, the eighth grade went. In 1957, it was the seventh grade. In the mid-1960's, the sixth grade was eliminated, and in 1967, the day school's fifth grade was reduced by half. In most cases the students were transferred to public schools in the South Tama County School District.

By 1968, more than 150 Mesquakies, or about 75 percent of Mesquakie children, were being educated in the South Tama County public schools. The Mesquakie settlement school, or the Sac and Fox day school as it is officially known, was anticipating a 1968 enrollment of 56 children for grades one through four. Then, in early July 1968, the tribal chairman was notified that all Mesquakies were being transferred to public schools beginning the fall of 1968.

It was evident from the Bureau's phaseout procedure that its eventual goal was termination of the day school, and public school education for all Mesquakies. In October 1967, the Bureau had announced such intentions at a meeting attended by representatives of the county school board and the tribal council. Subsequent meetings, which sometimes included Mesquakies, laid the groundwork for the fall 1968 transfer.

On July 26, the tribal council met and responded with a motion opposing the closing of the day school. The Mesquakies maintained that treaty rights would be violated if the BIA did not provide education for Indians. On August 2, the council urged a boycott of the public schools in grades one through five, and in the first week of September, the tribe filed for an injunction in Federal court against the closing of the school. In late September, the court ruled that the day school be reopened by October 31, and that the Mesquakies and the Bureau of Indian Affairs both submit proposals for resolution of the problem. The school was reopened and staffed with teachers contracted by the BIA through the public school system.

The Bureau sought dismissal of the suit in November, arguing that "sovereign immunity" prevented the court from issuing an injunction against a governmental body such as the BIA. The court denied the Bureau's motion in February 1969.

The Mesquakies submitted to the court a proposal for a Mesquakie operated and controlled school on the settlement to include grades kindergarten through nine. The school would be contracted through the BIA, and would include course work in Mesquakie history and culture and the teaching of English as a second language. The BIA responded with a plan that the status quo—a Mesquakie day school for grades one through four—continue for another year, and that the public school takeover of Mesquakie education be delayed another year. The Mesquakie tribal council voted to accept the Bureau's offer to continue operation of the Mesquakie settlement school for grades one through four for another year, and the lawsuit was withdrawn. The Bureau has also stated that it has extended its mutual readiness policy so that no transfer will occur without approval by referendum of the Indian people. No such provision has been written into the Bureau's transfer regulation, though.

The Mesquakie situation provides a glaring example of many of the problems involved in the Bureau's transfer policy.

The Bureau admits to initiating the transfer of all Mesquakies to the local public schools, but it contends there were no objections until the last minute.

Some Mesquakies complained they weren't informed of the intended transfer, or the meetings in which it was discussed. Questions were also raised as to how many Mesquakies actually thought transfer was in the best interest of their children.

But one of the main problem areas highlighted by the situation was the Bureau's "mutual readiness" policy, and the Bureau's means of determining such readiness.

The impetus for the decision to transfer came from the Bureau's determination (or assumption) that the South Tama County public schools were "ready" to educate all Mesquakie children, and that the Mesquakies were ready for the public schools to handle that function.

In a July 2, 1968, letter to the Mesquakie Tribal Council from the Minneapolis Area Office Director making the transfer official, the Bureau noted that "the South Tama County officials are willing and ready to assume the responsibility of providing quality education for all children of the settlement, and have geared their educational program for this transfer."

In response to a request by the subcommittee, Charles Zellers, BIA Assistant Commissioner for Education, explained how the BIA had determined the South Tama County public schools and the Mesquakies "ready" for complete transfer. In regard to the readiness of the Mesquakies, he made the following comments:

> "The criteria used for initiating plans for the transfer of the Mesquakie children to the public school are in keeping with the overall policy of the Bureau to transfer the responsibility for the education of Indian children to public schools whenever feasible and when it is in the best interest of the people.
>
> Strong consideration was given to the fact that a progressive number of Mesquakie children in the upper grades and high school were attending public school with no serious objections from the people.
>
> The tribal council's resolution to support construction of public school facilities to accommodate 200 of their children would certainly indicate their interest in the transfer of all their children to the South Tama schools. (In March 1966, the tribal council passed a resolution favoring a proposal to utilize $200,000 of Public Law 81-815 funds to construct an addition to the schools.)

The following excerpts from the BIA response explain how the public school's "readiness" was determined:

> For many years, the district has enrolled approximately 75 percent of the Mesquakie Indian children in its schools and the teachers of these children have had considerable experience in working with them.

> The larger, modern public school facilities offer a better learning environment, better teachers, an integration factor, and the latest equipment and facilities. Through the various contacts with new students, teachers, and community, Mesquakie pupils will be better prepared to become a part of the larger society.
>
> Records indicate that Mesquakie students who have attended public schools from kindergarten on, score better on achievement tests, have better attendance records, and remain in school longer than those who begin their education in the Sac and Fox day school. (When asked to produce these records, Zellers said he had never seen them, but had been advised of their substance by his fieldmen. The subcommittee sought such records from the Minneapolis area office of the BIA and the South Tama County school officials, but neither was able to come up with them.)
>
> As a regular part of the in-service training of teachers and the administration, a workshop especially geared to receiving the additional Mesquakie children was conducted prior to the opening of school. This included an information address by the school superintendent.
>
> Special education is available to disadvantaged children, but no special curriculum is being offered the Mesquakie Indian students at the South Tama schools. Teachers are made aware of special needs of Indian students.
>
> Indian culture and history are taught only as a part of the State social studies curriculum. The school library contains many references to Indian history and culture.

The Mesquakies maintained they were not ready for the public schools because the public schools were not ready for them.

"The program or the curriculum has not been geared to our tribal way of thinking," Don Wanatee of the Mesquakies Tribal Council testified before the subcommittee. Mr. Wanatee also noted that "the Indian children in their early years do not have the English language well enough to compete with the white children," but the school has no special program of teaching English for these students. He indicated the whole Tama atmosphere was hostile to the Mesquakies because the white people refused to try to understand Mesquakie viewpoints on education or the Mesquakie cultural heritage.

An investigative report prepared for the subcommittee by Paul Petrafeso of the Upper Midwest Regional Educational Laboratory bore out many of the Mesquakie complaints. Among the report's findings were:

> (1) The public school has not adopted any programs that deal specifically with the teaching of disadvantaged youth or Indian children.
>
> (2) The school superintendent did not acknowledge any language problem for Mesquakie children. He admitted "hearing about" a study made by a teacher which showed that upon entering school many Mesquakie children are more familiar with Mesquakie language than English, but he said he had never read it.

(3) In the past there have been no inservice training programs for teachers to acquaint them with problems of teaching Indian children. In a telephone interview with the subcommittee staff, the superintendent said, "There has never been time" to provide such training and that any orientation to teaching Mesquakies was usually restricted to "a one-shot affair on the peculiarities of the Mesquakies."

Mr. Petrafeso noted in his report that three school staff members will be attending a BIA sponsored workshop on Indian culture in the summer of 1969, and that they are expected to set up an inservice program for the remainder of the South Tama County public school staff.

(4) The only steps taken toward acknowledging the presence of Indians in the school are the addition to the library of a number of books on Indian history and culture, and the high school history department's present project of developing an Indian history unit in the American history course.

(5) No accurate data is kept on dropouts.

(6) Despite an awareness that the achievement test scores of Indian children show them several years behind the average level, school officials do not individualize instruction or even prescribe special programs that would allow the child to catch up.

(7) During the 1968–69 school year, Mesquakie students averaged about 20 days of absence per student.

(8) Most Indian students are placed in the genera[illegible]rse of study track. Only eight Indians are in the co[illegible]rep course, and none are enrolled in the vocational [illegible] track.

The Bureau's Assistant Commissioner for Education has said that the Bureau conducts no formal evaluation of a public school's educational program before Indians are transferred into public schools. "We know generally what their education program is," he stated in an interview. There seem to be enough discrepancies between the Bureau's analysis of Mesquakie education in the public schools and Mr. Petrafeso's report to indicate the need for a formal evaluation before any transfer of Indian students is effected.

The 1969–70 school year has begun with the South Tama school district operating the Sac and Fox Day School for grades 1 through 4. The remaining Mesquakie children attend the Tama public schools. The lawsuit has been withdrawn, but no one knows at this time what the Mesquakies' school situation will be next year.

D. SUMMARY OF PUBLIC SCHOOL FINDINGS

1. Indian Participation and Control

American Indians have little, if any, influence or control in the education of their children in the public schools.

A. Indian membership on school boards which have jurisdiction in districts educating Indians is rare.

B. The white power structure often thwarts Indian attempts to gain representation on school boards.

C. Indian attempts to win curriculum reforms which recognize Indian history and culture are often met with resistance from school administrators.

D. A strong feeling of powerlessness pervades Indian communities in regard to their attempts to improve the education provided in public schools.

2. Curriculum

Public schools educating Indians rarely include coursework which recognizes Indian history, culture or language, and often use materials and approaches which are derogatory toward Indians.

A. Public schools in many States use history and social studies textbooks which ignore the Indian's role in history or grossly distort that role.

B. The primary result of the manner Indians are treated in the history textbooks in use today is a propagation of inaccurate stereotypes.

C. Most public schools do not take into consideration the language difficulties of many Indian students.

D. There is a definite lack of bilingual and bicultural materials in schools educating Indians.

3. Attitudes

Many school administrators and teachers consider Indian pupils inferior to white students, and thus expect them to fail, both in school and in life.

A. An anti-Indian attitude is often prevalent in white communities in which Indians receive public school education.

B. Many school districts relegate Indians to the lowest level in their tracking systems.

C. Some administrators refuse to cooperate with the Indian community in their school district and discourage or do not permit Indian participation in decisionmaking.

D. Indians are often promoted each year regardless of grades just so they can be kept in school, thus assuring the local district of receiving Federal aid because of the presence of Indian students. One public school district goes so far as to falsify Indian achievement-test results because the students were so far behind national norms that "it just wouldn't look good."

E. Teachers and administrators are often insensitive to Indian values and ignorant of Indian culture.

4. Transfer from BIA to Public Schools

Little attention is paid to whether Indians want their students transferred from a Bureau of Indian Affairs-operated school to a public school, or whether the public school is ready to accept Indian students, when the decision to make such a transfer is made.

A. The Bureau's policy on transferring students from Federally-operated to public schools has changed periodically over the years, and at this point, the official policy remains unclear.

B. Public schools are rarely equipped to handle the unique problems with which they must deal when they accept Indian students, without special preparation and effort.

C. Indians have not been given the opportunity to decide for themselves if they want their children educated in Federal schools, public schools, or in some other educational program.

5. Federal Legislation and Indian Education in Public Schools

(a) Public Law 81-815

Lack of funding for Public Law 81-815 prevents any construction of public school facilities for Indian students.

A. Indians are not included in the sections of the law which are given priority in funding.

B. Many public schools accepted Indian students under the impression they would receive Federal money for constructing the additional facilities necessary to educate those Indian students, yet such Federal money has rarely been appropriated.

(b) Public Law 81-874

While Indian education is receiving some financial assistance through Public Law 81-874, it is hardly enough to provide students with an equal educational opportunity.

A. Many public school districts educating Indians use Public Law 81-874 funds for a good share of their operating budgets, which results in a situation where Indian students receive insufficient benefit.

B. Indian districts are in greater need of financial assistance than many other districts receiving aid under Public Law 81-874.

C. Late funding for this law has created crises in school planning and has been especially harmful to Indian districts which depend upon it for so much of their budget.

(c) Johnson-O'Malley Act

The intent of the Johnson-O'Malley Act to provide for the special needs of Indian students is not being fully satisfied.

A. Johnson-O'Malley money is traditionally used by school districts to supplement their general operating budgets rather than to provide for special Indian needs.

B. The question of whether an Indian lives on or near Federal property plays a more important part in deciding if a district receives JOM money than does the question of need.

C. There is very poor accountability for the use of JOM money.

D. Urban Indians receive no benefits under JOM as it is presently administered.

E. Some States with substantial Indian populations are excluded from JOM contracts.

F. The expanded contracting authority granted the act by a 1936 amendment has not been utilized to the fullest extent.

G. Indians rarely have an opportunity to decide how the JOM money, designed to serve their needs, is to be spent.

H. JOM has not been funded at a level adequately meeting the special problems of Indian students.

III. THE FAILURE OF FEDERAL SCHOOLS

A. BACKGROUND

The Bureau of Indian Affairs operates 226 schools in 17 States, on Indian reservations and in remote geographic areas throughout the country. Of these, 77 are boarding schools.

There are 34,605 American Indian children currently enrolled in BIA boarding schools, 15,450 in BIA day schools, and 3,854 housed in peripheral dormitories while attending public schools with BIA financial support. In addition, 62,676 Indian youngsters attend public schools supported by the Johnson-O'Malley Act, which is administered by BIA.

In fiscal year 1969 there were 16,045 BIA employees. Of this number, 7,027 were employed in education. Education's allotment of funds from the Department of the Interior's fiscal year 1969 appropriation was $94,164,000. Other funds for education, from sources such as title I of the ESEA, totaled $9,912,744, bring the total funding for the year to $104,067,744.

According to statistics compiled by the BIA in 1968, 82.1 percent of the students enrolled in Federal schools are "Full Blood" Indians and slightly more than 97 percent of students were one-half or more Indian blood. Approximately 90 percent of the students will enter the first grade with little or no English language facility.

Perhaps the most striking fact about the Federal school system is the growth rate of the student population. The present growth rate of the Indian population on reservations is 3.3. percent per year, or three times the natural rate of increase for the U.S. population at large. If the present rate of growth continues, the population will double in 21 years.[1] This dramatic growth rate is primarily a function of substantial improvement in Indian health in the last 15 years following the transfer of the Indian health program from BIA to the Public Health Service. Fertility rates have always been high and have slightly increased but the death rate has substantially declined.

The consequences of this extraordinary growth rate are reflected in the following statistics. Enrollment in BIA high schools doubled in an 8-year period from 1959 to 1967. The increase was from 5,661 students enrolled in 1959 to 11,653 students enrolled in 1967. On the Navajo Reservation, in the 6 years from 1960 to 1966, the school age population increased by 48 percent from 31,000 to 46,000. Unfortunately, a substantial proportion of these children were not enrolled in school. Due to a crash construction program in the early 1950's the percentage of enrolled children increased from 52 percent in 1950 to 81 percent in 1955. After 1955 the percentage of school-age children actually enrolled remained relatively constant, showing only a slight increase by 1966.[2] The failure to close the gap following 1955 was primarily a function of the "termination policy" and a consequent reduction in appropriations. A major construction program was again launched in the early 1960's but could hardly keep pace with the increased growth rate. The failure of the Federal Government to provide adequate classroom space for thousands of Navajo and Alaskan native school-age children continues to be a tragedy and a disgrace.

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[1] ABT Associates, "System Analysis, Program Development, and Cost-Effectiveness Modeling of Indian Education for the Bureau of Indian Affairs," ABT Associates, Inc. Cambridge, Mass., June 1969, vol. II, p. 88.

B. GENERAL ANALYSIS

Although great concern has often been expressed about the adequacy of the BIA education program, one searches in vain for analytical studies of the problems and performance of Federal schools. With the exception of several important mental health studies of boarding schools in the last decade, competent evaluations of instructional practices done either by the BIA central office or independent agencies are practically nonexistent. The last comprehensive survey appears to be the Meriam Report of 1928.

Following its initial hearings in December of 1967, the subcommittee requested that the Bureau of Indian Affairs contract for a comprehensive study of its Federal school system. Dr. Charles Zellers had already initiated plans for such a study, and further discussions between subcommittee staff and BIA officials resulted in a contract being let to ABT Associates, Inc., in Cambridge, Massachusetts.

The ABT study involved more than 20 professionals over a period of 1 year in extensive field investigation. The five volume report was finished and made available to the subcommittee in June 1969.

More than 200 classrooms were observed for the purpose of identifying educational objectives and instructional practices were observed and evaluated in 100 classrooms. The ABT study provides a revealing and discouraging description of the serious inadequacies of the BIA education program. In general, the findings of the ABT study are congruent with the findings of the subcommittee investigations and provide a useful general overview of problems and deficiencies.

1. EDUCATION BUDGET ANALYSIS

The BIA education budget was found to be greatly inadequate:

> Since most Indian children begin school with the environmental handicaps of rural poverty, cultural isolation, low level of parent education, and in many cases a non-English native language, equality of educational inputs requires greatly superior inschool resources of teachers, curriculum, facilities, and equipment to balance the inadequate preschool preparation of most Indian children. Such superior education has not been and cannot be supplied by the BIA on its current budget of some $1,000 per student year, which must also pay for the boarding expenses of nearly half the students.[3]

It has been pointed out that the Job Corps spent from $7,000 to $9,000 per student year for its resident high-school level education program. A number of witnesses testifying before the subcommittee have suggested that the amount of expenditure per pupil in BIA schools should be doubled or tripled if equality of educational opportunity is to be provided. The ABT report appears to agree with these suggestions, stating, "BIA schools are at this time insufficiently funded to overcome the students' initial difficulties resulting from poverty and cultural barriers. The price of this economy is ultimately paid in high welfare payments and reduced revenues. Annual per pupil expenditures, now around $1,000 should be greatly increased on the basis of conserving future welfare costs and income tax collections." The subcommittee has investigated the BIA education budget and found the following:

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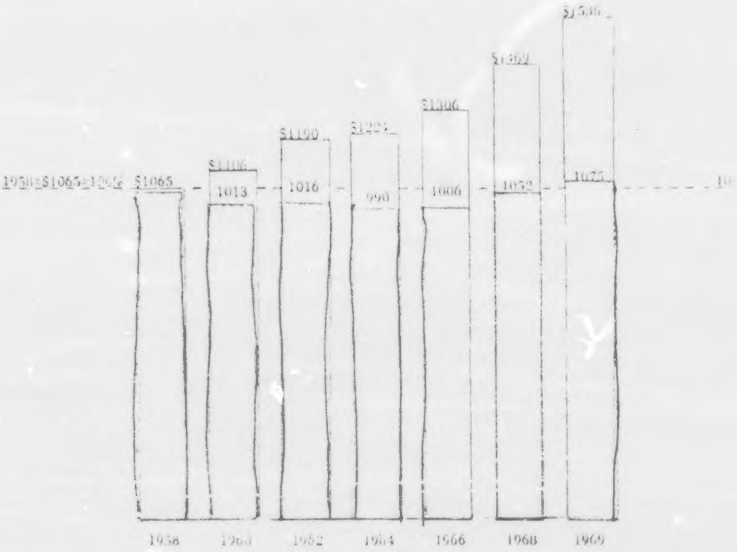
[2] Ibid., vol. II, p. 98.
[3] Ibid., vol. I, p. 2.

INDIAN BOARDING SCHOOLS

1969 PER CAPITA BUYS . MORE THAN IN 1958!

10.00



Purchasing Power

INFLATION FACTORS USED:

1958 = 100% $1065/1065
1960 = 109.2% of 1106/1013
1962 = 117.1% of 1190/1016
1964 = 123.6% of 1224/990
1966 = 129.8% of 1306/1006
1968 = 139.7% of 1469/1052
1969 = 142.8% of 1536/1075

1969 Education Inflation Factor is 42.8% of 1958 Base.

Source: School Management, issues January, 1964 and January, 1969.

January 1969

When inflationary factors are taken into consideration, the following chart makes clear that the BIA education program has been grossly underfunded for a substantial period of time. More precisely, the amount of real dollars for per capita expenditure in the BIA education program decreased from $1,065 in 1958 to $1,006 in 1966. By 1968 the per capital expenditures of real dollars was $1,052, still below the amount available in 1958, 10 years earlier. The chart reveals that between 1968 and 1969 there was a budget increase for education programs in BIA and the amount per capita increased slightly from $1,058 to $1,075. It would appear that appropriations for the BIA education program have not taken into account inflationary factors or the accelerated rate of student population growth during the last 10 years. In addition, it is apparent that the Bureau of Indian Affairs has not been able to establish or clearly justify what would constitute an "equal educational opportunity investment" per child per year. The BIA is still using an old-fashioned line-item budget which is based not on program needs but rather on what the BIA "thinks it can get." This lack of adequate standards or definition of equal educational opportunity continues to be a major deficiency in BIA budget requests.

A memorandum prepared by the Education Division of the Bureau of Indian Affairs points out that:

> The education program is faced with a severe funding crisis in fiscal year 1969 which can only be compounded in fiscal year 1970 unless additional funds above those already before Congress are secured.

The report goes on to state:

> Over the past few year increasing cost of normal operations in addition to necessary actions taken in order to remain competitive in the field of professional personnel has caused a dangerous erosion of educational funding capability. In fiscal year 1969 this has reached a point that even with the diversion of funds appropriated for innovative and improved programs only a bare minimum of instructional supplies, textbooks, dormitory supplies and materials and replacement equipment can be purchased for school operation and will at the end of fiscal year 1969 have depleted all stocks of materials through the normal operation—carryover will not be available in 1970. In addition, at the present time 420 sorely needed educational dormitory personnel positions must remain vacant due to the shortage of funds.

The memorandum points out that an additional requirement for $5 million above the present funding request before Congress will be needed simply to maintain a minimum base. For example, based on the school management cost of education index, $40 per child represents an appropriate expenditure for textbooks, supplies, and materials. Presently the Bureau of Indian Affairs expends approximately $18 per child in this category, less than half the appropriate national standard.

The 5-year education plan for the Bureau of Indian Affairs indicates that in order to overcome long-standing deficiencies and achieve a minimum level of satisfactory funding an increase of $158 million over the present $110 million budget request will be necessary. In addition it points out that there is a need for $178 million in construction funds to provide for the replacement of many substandard buildings and new schools for increasing enrollments, as well as $18 million for major alterations and improvements to existing facilities. These projected figures indicate the substantial inadequacies of the past funding of the BIA education program, and the present failure of the Bureau of Indian Affairs to even approach an "equal educational opportunity investment" per child.[4]

Equally disturbing is the fact that a substantial portion of the money appropriated by Congress for the education program is being diverted for other purposes. According to an investigation report of the House Appropriations Committee in February 1968, "BIA officials cited six administrative-type programs and support activities that are supported by assessments of the education program funds. In fiscal years 1966 and 1967, these assessments amounted to $11,073,000 and $12,235,000, respectively."[5] Thus it is apparent that there is relatively little integrity in the BIA education budget.

It should also be noted that the BIA has failed badly to conduct any meaningful long-range planning, to provide a reliable census of school-age children, or to integrate its planning with other components of reservation development: for example, roads on the Navajo Reservation. The results have been substantial numbers of Indian children not in school and many times not even accounted for, severely overcrowded school facilities, large numbers of Alaskan Native children shipped out of the State to Oregon or Oklahoma so that they can receive a high school education, and a variety of unsatisfactory makeshift arrangements (such as the conversion of dormitory space) which must have a deleterious effect on an effective educational program.

A study published by Dr. William H. Kelly in 1967 was astounded to discover that 340 school-age children in the 16-to-18 age category and an additional 894 in the 6-to-15 age group were not enrolled in any school and could not be accounted for by BIA officials. And this study covered only a part of southern Arizona.[6] Another recent study found 2,365 school-age Indian children not accounted for in the State of New Mexico. In Alaska and on the Navajo Reservation no one seems to know how many school-age Indian or native children are not enrolled in school, but it numbers in the thousands. The estimate of Navajo children runs anywhere from 4,060 to 8,000.

2. ACADEMIC PERFORMANCE

The academic performance of students in BIA schools indicates to some degree the magnitude of the problem. Only 60 percent of the Indian students in BIA high schools graduate, compared with a national average of 74 percent. Of the number of students who graduate from high school, only 28 percent enter college, as compared with a national average of 50 percent. Of those Indian students who enter college, only 28 percent graduate. In additional, less than 1 percent of Indian graduate students complete a master's degree.

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[4] Hearings, Subcommittee on Indian Education, pt. 1, 1969, pp. 443–448.

[5] Hearings, "Department of the Interior and Related Agencies Appropriations for 1969," pt. 2, p. 591.

[6] Hearings, Subcommittee on Indian Education, pt. 3, 1968, pp. 1067–1110.

For every 400 Indian students entering Federal high schools at the freshman level, only one will graduate from college. It is predicted that only about "150 Indians will receive bachelors degrees in 1969. Furthermore, there is no reason to believe that this situation will improve if drastic changes do not occur." Also, the Indian student in a BIA school is on the average 2 or more years behind his non-Indian peers in terms of achievement test scores when he graduates from high school. Thus to bring its program up to national norms the Bureau of Indian Affairs must cut the number of dropouts in half, must doubt the number of Indian students going on to college provide an adequate elementary and secondary education background which will permit a doubling of the number of Indian students graduating from college, and a tenfold increase in the number of Indian students completing a masters degree.

Unfortunately, the Bureau of Indian Affairs does not have well-specified goals, and has never stated how or over what period of time they feel they can close the gap. The three charts on pages 61, 62, and 63 summarize the serious educational achievement deficiencies of the Indian student as compared with the non-Indian.

3. GOALS AND OPERATIONAL PHILOSOPHY

One of the most important findings of the ABT study was the dramatic disparity between the educational goals of the students and the expectations of the teachers and administrators. This is particularly important because educational research has demonstrated that teacher expectations have an important effect on student achievement. The self-fulfilling prophecy of failure seems to be a pervasive element in BIA schools.

The study found that three-quarters of the Indian students wanted to go to college. Most of the students had a reasonable understanding of what college work entailed and 3 percent desired graduate studies at the masters or doctoral level. The students clearly desired a firm grounding in the core subject of English, mathematics, and science.

In dramatic contrast to the student goals, however, were those of teachers and administrators. When asked to name the most important things the schools should do for the students, only about one-tenth of the teachers mentioned academic achievement as an important goal. Teachers stressed the educational objectives of personality development, socialization, and citizenship.

> Administrators generally responded similarly to teachers: this is not suprising, since all of them were formerly teachers, most quite recently. Only one administrator of the 35 interviewed was concerned primarily with the academic achievement of the student. The administrators do not generally express any need for a more intellectually challenging curriculum or for college preparations.[7]

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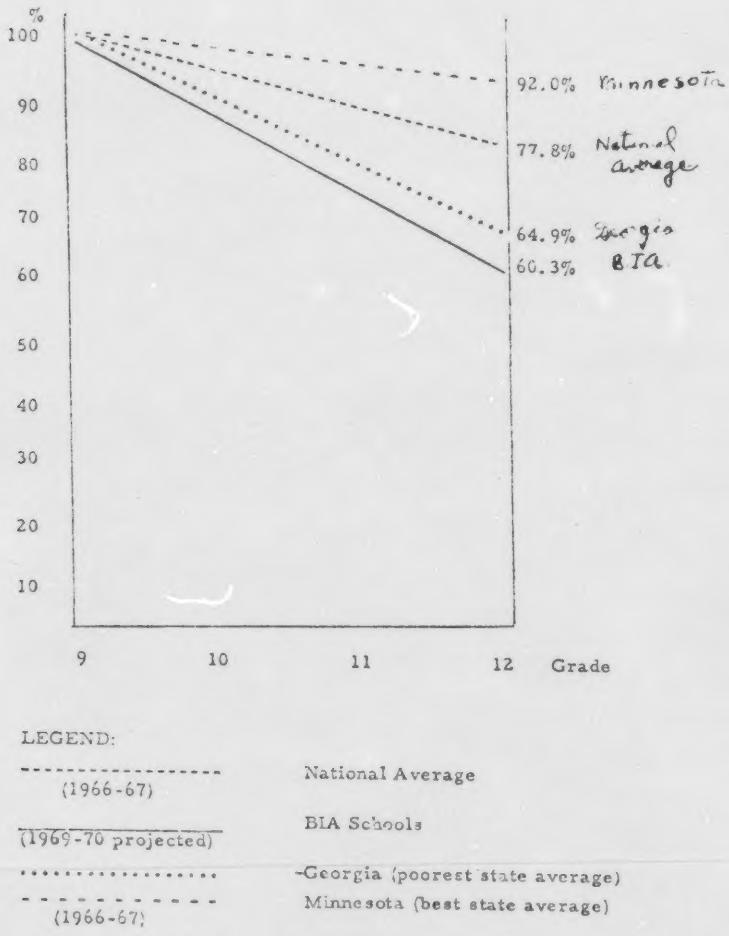
[7] Op. cit., ABT Associates, vol. II, p. 47.

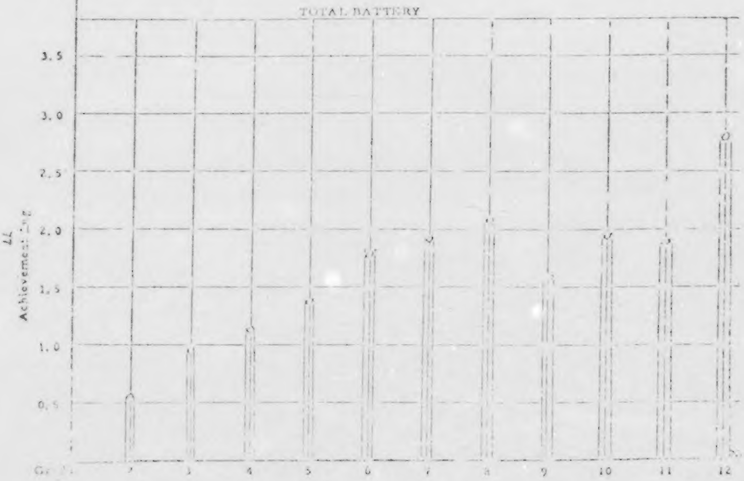


Percentage of Ninth Grade Enrollment That Graduates From High School

Apparently, many of the teachers still see their role as that of "civilizing the native." The study also found that, "teachers believe in a quiet obsolete form of occupational preparation, for which students show commendable little enthusiasm." One consequence of the unfortunate situation is a serious communications breakdown between student and staff and a serious lack of productive student-staff interactions.

In terms of operational philosophy several other deficiencies were noted. BIA administrators and teachers believe that Indians

ACHIEVEMENT LAG BEHIND NATIONAL NORMS OF ABOUT 22,000 INDIAN PUPILS IN BIA SCHOOLS[1]



[illegible] 400 high school pupils, [illegible] results for grades 10 and 12 in the Aberdeen area.

can choose only between total "Indianess"—whatever that is—and complete assimilation into the dominant society. There seems to be little if any understanding of acculturation processes or the desirability of "combining a firm cultural identity with occupational success and consequent self-esteem." Thus, the goal of BIA education appears to direct students toward migration to a city while at the same time it fails to "prepare students academically, socially, psychologically, or vocationally for urban life. As a result, many return to the reservations disillusioned, to spend the rest of their lives in economic and intellectual stagnation." The counterpart of this Alice-in-Wonderland philosophy is an almost tctal neglect of reservation life and problems. The study notes that "the common social problems of family instability, poor health, inadequate housing, alcoholism, and underemployment is today almost unaffected by educational programs."

4. QUALITY OF INSTRUCTION

The quality and effectiveness of instructional practices were found very unsatisfactory. For example:

> * The primary in-school cause of the low adequacy achievement levels of Indian students is the inadequacy of the instruction offered them for overcoming their severe environmental handicaps. A great proportion of the teachers in the BIA system lack the training necessary to teach pupils with the linguistic and economic disadvantages of the Indian child successfully. Only a handful of the Bureau's teachers are themselves Indians, although some bilingual Indian teaching aides are employed. Virtually no non-Indian teachers learn to

COMPARISON OF LEVELS OF EDUCATIONAL ACHIEVEMENT OF INDIAN AND NON-INDIAN CITIZENS

	U.S. Non-Indian Average	Indian Average	Deficits to be Corrected
Years of schooling	10.6[1]	8[2]	2.6 years behind in 1960
Over-age students (in all grades, stated as a % of total enrollment)	Under 20%	[illegible] (7% 3 years or more behind)	20% over-age
Academic achievement stated as average number of years behind on standardized achievement tests: gr. 2-5 gr. 6-8 gr. 9-12	 0 0 0	 1 yr.[4] 2 yrs. 2 yrs.	2 years retardation to overcome by the end of high school
Kindergarten enrollment as % of 5-year-old children	[illegible]% of all 5-year olds, 1965[5]	under [illegible][6] [illegible] in kindergarten in FY 1969	13,000 more Indian children in Kindergarten

[1] Statistical Abstract, 1967, [illegible] Census Data

[2] [illegible], 1969.

[3] [illegible] agency school [illegible] reports, 1967.

[4] An academic achievement [illegible] different tests given to about [illegible] students, 3400 of whom were in [illegible] high schools included in the sample.

[5] Statistical Abstract, 1967

[6] BIA Enumeration and Estimated Kindergarten-aged Children.

speak an Indian language, nor are they given formal help to do so. Many tend to take little interest in intellectual and artistic achievement, and therefore fail to stimulate the development of intellectual curiosity and creativity in their pupils.[8]

* The curriculums used in Bureau schools are generally inappropriate to the experience and needs of the students. Those for teaching linguistic skills are particularly unsuitable, as they fail to respond to the Indian child's unique language problems. Vocational training courses bear little relation to existing job markets. The teaching techniques commonly employed force upon Indian students a competition alien to their upbringings.[9]

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[8] Ibid., vol. II.

[9] Ibid., vol. II.

5. GUIDANCE AND COUNSELING

Serious deficiencies in the guidance and counseling program in BIA schools were discovered. For example:

> * The ratio of guidance counselors to students is now approximately 1:600, counselors often lack professional training, and receive insufficient supervision; career and occupational counseling are only rarely offered; and psychological counseling is almost nonexistent. The ratio of counselors to Students should be reduced to 1:250.[10]
>
> * The common ratio of 1 dormitory counselor to well over 100 children is unacceptable, especially in light of the generally low level of professional training of the dormitory staff and the youth of the elementary school children. A major improvement in the number and quality of dormitory personnel is essential to bring supervision, guidance, and counseling up to the standards even of mediocre private boarding schools. These improvements would presumably require a sevenfold increase in expenditures on dormitory personnel.[11]

6. DISCIPLINE—STUDENT LIFE

School environment was sterile, impersonal and rigid, with a major emphasis on discipline and punishment, which is deeply resented by the students. They find the schools highly unacceptable from the standpoint of emotional, personality, and leadership development. For example:

> * Social activities involving both sexes, such as plays, concerts, dances, and social clubs, are relatively infrequent. According to the students, even when they are held they are usually over-chaperoned and end very early. Many teenage students also expressed great frustration with the boredom of weekends in the boarding school dormitories. Teachers and all but a few counselors depart, and almost no social activities are planned; it is hardly surprising, therefore, that students occasionally resort to drinking and glue-sniffing in order to relieve their boredom.[12]
>
> * Students complained bitterly of the lack of privacy in the dormitories, of the rigidity of their hours, and of the considerable attention devoted by dormitory staff to inspections and the enforcement of rules and order. At Haskell Institute, students reported that all electric power in the dormitories is turned off at night, to prevent them from reading or listening to the radio. Several students mentioned that they often needed flashlights to complete their reading assignments; they would hide beneath their blankets, so as to evade the notice of dormitory aides conducting bed checks.[13]
>
> * Dormitory discipline is often unnecessarily strict and confining. Students in their late teens and early twenties are often forced to conform to rules appropriate for children half

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[10] Ibid., vol. II.
[11] Ibid., vol. II, p. 67.
[12] Ibid., vol. II, p. 68.
[13] Ibid., vol. II, p. 68.

their age. Although students tend to observe these rules, this does not negate their harmful effect on student maturity, self-reliance, and self-discipline.[14]

7. PARENTAL PARTICIPATION AND COMMUNITY CONTROL

The BIA has simply failed in its implementation of the "new policy" goal of maximizing parental and community participation in the schools in spite of the wishes of the Indian communities:

* Despite a Presidential directive issued more than 2 years ago, only a few BIA schools are governed by elected school boards. This may in part be attributed to the reluctance of Indians and Eskimos in many areas to serve on school boards. Existing programs to enlist the participation of Indian adults in the control of the schools in their communities have enjoyed only partial success. In addition, no community control exists over those high schools which are located off the reservation and which include students from more than one tribe.[15]

(4) The relationship between school staff members and parents is usually too formal and distant. On the rare occasions when parents visit their children's schools, they often feel unwelcome.[16]

* With few exceptions, the facilities, staff, and equipment of BIA schools are not used as community resources for adult education and other activities.[17]

* Indians participate little or not at all in the planning and development of new programs for Indian education, training, employment, and economic development, despite approval of such participation by the national office of the BIA.[18]

8. ORGANIZATION AND ADMINISTRATION

The present organization and administration of the BIA school system could hardly be worse:

* The special educational problems of a culturally different school population from unusually impoverished rural homes require an unusual degree of school system effectiveness, yet BIA schools are organized and managed in an unusually ineffective manner.[19]

* There is at present no central authority that can relate educational expenditures to educational results. There is no standardized information on Indian student achievement or school profiles or teacher/student ratios or educational programs or educational curriculum which is used to make the Indian school system a better school system.[20]

* At present, there is no clear chain of command from the Assistant Commissioner of Indian Affairs, Education, to the

individual schools. Schools are dependent for many of their policies and resources on BIA administrators having no direct responsibility for, or knowledge of, education. The confusion and uncertainty of authority resulting from this lack of a clear chain of command from highest to lowest education officials has prevented effective program development, planning, budgeting, management, and control at all levels of the BIA school system.[21]

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[14] Ibid., vol. II.
[15] Ibid., vol. I, p. 41.
[16] Ibid., vol. I, p. 52.
[17] Ibid., vol. I, p. 46.
[18] Ibid., vol. I, p. 46.
[19] Ibid., vol. II, p. 191.
[20] Ibid., vol. II, p. 197.

The BIA schools are organized as if the municipal water commissioner controlled a city's schools' textbook budget, and the parks commissioner controlled the schools' facilities, equipment, and personnel acquisitions, with the city school superintendent only an advisor to the mayor, yet responsible for the effective operation of the schools.[22]

9. PERSONNEL SYSTEM

One particularly crucial area of concern in the overall effectiveness of the BIA school system lies in the area of personnel recruitment, retention, reward, and utilization. The BIA personnel system contains major deficiencies which undoubtedly have contributed very substantially to all of the other inadequacies already cited.

The turnover rate of teachers is much too high, and often the most ambitious and promising teachers leave the system first. The present centralized recruitment system is cumbersome and ineffective and controlled by non-educators.

In addition, the civil service status of BIA teachers and staff has severe disadvantages. It is very difficult to reward the outstanding teacher and even more difficult to fire the incompetent. It has been suggested that "the teachers ability to rely on their civil service tenure militates against the total commitment needed from them." They tend instead to provide a minimum of effort and time and "take little interest in the problems of the school and community." Also, the rigidity of the civil service system has made it difficult if not impossible to permit Indian tribes and communities some authority over teacher selection and training. Indian communities consider this to be the most critical aspect of their involvement in the school. The subcommittee concurs with the ABT report's conclusion regarding BIA personnel:

> The systems analysis of BIA schools concludes that while many of the problems of the schools are determined by forces beyond their control, the existing staff is inadequate, in quality and quantity, to deal with them effectively. BIA personnel from administrators to dormitory staff, frequently neglect their responsibilities and take no individual initiative, either from frustration or cynicism. Many of the most capable personnel resign from the system after a short term of service. A few dedicated persons continue to exert themselves, in the hope that some Indian children will benefit by their efforts.[23]

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[21] Ibid., vol. II, p. 192.
[22] Ibid., vol. II, p. 193.
[23] Ibid., vol. II, p. 146.

Why the Bureau of Indian Affairs has not considered its personnel system a top-priority concern, even to the extent of conducting a thorough study of the problems and alternative solutions, is difficult to understand. It stands out as another example of the Bureau's inability to confront its problems and carry out reform.

C. Special Problems

1. ELEMENTARY BOARDING SCHOOLS

As early as its first hearings in December of 1967, the subcommittee was informed that 7,476 Navajo children, ages 9 and under, were in 48 elementary boarding schools, on the Navajo Reservation. Although there are special educational and social reasons for placing children in boarding schools, in this case it was simply a matter of not having a day school (public or Federal) available.

Daniel J. O'Connell, M.D., executive secretary of National Committee on Indian Health, and the Association of American Indian affairs went on record as opposed to the placement of children of this age group in boarding schools as a "destructive" practice which resulted in emotional damage to the children.[24]

Dr. O'Connell stated, "that there is almost universal agreement in the field of developmental psychology that early separation of a child from the family unit is a destructive influence." In addition, the point was made that extended family relationships are more complex and important to an Indian child than a white child and crucial to his development of a sense of identity. Thus, separation from the family is probably even more traumatic and emotionally destructive. The elementary boarding schools on the Navajo Reservation are totally inadequate as a substitute for parents and family. Even with very substantial improvements, they can never be an adequate or desirable substitute.

Not long after the first subcommittee hearings, a letter was received from a BIA teacher in one of the largest elementary boarding schools on the Navajo Reservation. It is a very perceptive letter and provided an excellent description of how one of these schools function.

> I've only had experience (2 years) in teaching here at the Tuba City Boarding School. But I've seen enough here and at schools that I've visited, and talked with enough people from different places to come to some—hopefully accurate—conclusions. I hope they prove to be valid, and useful.
>
> One major problem of course, is the boarding school per se. Although the idea of a boarding school, which draws in students from a broad area, is undoubtedly less expensive and more readily controlled than a large number of small day schools, and offers the students advantages such as a good diet and health and sanitation facilities, the problems that it creates are vast, and require solutions. The problems are often recognized, and are often bemoaned, but little has been done to eliminate them. One of these is distance from the home.
>
> In an age and area which need local community interest, involvement, and understanding, in which we are supposed to

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[24] Hearings, Subcommittee on Indian Education, pt. 1, 1968, pp. 51–53.

be building and maintaining a harmony between cultures, we find many schools at such distances from the homes of the students, that meaningful contact is difficult to say the least. These distances make meaningful relationships, or even mere visiting, a severe hardship. (For example, the two young boys who froze to death while running away from a boarding school were trying to get to their homes—50 miles away.) The lack of transportation and the ruggedness of the terrain compound the problem.

As a result, most children on the reservation starting at the age of 6, only see their parents on occasional weekends, if that often. At these times parents are usually "allowed to check out their children"—if the child's conduct in school warrants it, in the opinion of the school administration. If he has been a "problem" (e.g., has run away) parents are often not allowed to take him until he has "learned his lesson." This may take up to a month to accomplish. This may tend to cut down on runaways, but it would seem that we should work toward eliminating the cause, rather than punishing the results.

However, these are often the lucky children. I have no evidence of this, except the word of teachers who are directly involved, but I have been told of schools (e.g., Toadlena Boarding School) at which parents are not allowed to check their children out on weekends, in order to eliminate runaways (except for emergencies).

When children are taken from their homes for 9 months a year, from age 6 onward, family ties are severely strained, and often dissolved. Even brothers and sisters in the same boarding school rarely see each other, due to dormitory situations, class, and dining hall arrangements. The children become estranged from relatives, culture, and much-admired traditional skills. (For example few of my students have been able to learn the art of rug weaving, or are familiar with Navajo legends, and sandpaintings.)

Yet, this could almost be understood if we were replacing it with something strong on which they could build a new life. We are not. We may be providing some opportunities for academic training—but that is all we are doing.

For example, my own school, the Tuba City Boarding School is the largest on the reservation, housing 1,200 elementary students. This alone creates immense problems. I don't believe any public school system in the country would tolerate an elementary school of this size, for the simple reason that the individual student would be lost in the crowd. We have them here, not only for an ordinary school day, but 24 hours a day, 7 days a week, 9 months a year.

The problems of properly running any institution of this size are enormous—be it hospital, prison, or whatever. However when we are involved in what is actually the home situation of young children from another culture, we had best do everything possible to provide a secure, pleasant, stable, and enlightening environment for them. We aren't.

For instance, if day schools are not possible, could we not at least provide some overnight guest facilities for parents who would like to visit their children? Nothing elaborate or expensive would be necessary—a hogan would suffice and could be put together easily by Navajos in the vicinity. Or, a small frame building might be constructed.

Yet, as far as I know, this is not done anywhere. This might tend to make the school more of a Navajo school, and less a white school for Navajos.

There are many other ways in which the schools could serve. For instance, they could be opened in the evening to provide training, or formal courses, or just things of interest, to the people. Areas which require instruction, such as English, or writing, could be taught by the teachers themselves. In many depressed areas, teachers earn extra money by such professional means. Why not here? Also, many talented Navajos might wish earn extra money by conducting courses in the weaving of quality rugs, or in teaching oral English to the people. Consumer and health education could be included, with field trips to make them meaningful. The possibilities are endless. Yet nothing is being done in this area. * * *

However, no matter how lacking our program may appear to be, we always manage to consider the academic department to be high quality when we compare ourselves with our dormitory counterpart, the "guidance" department. Herein lies the most serious deficiency of the entire boarding school system, for these people are in charge of the children 16 hours a day, 7 days a week, yet they are understaffed, underprogramed, undersupervised and overextended. For example, each dormitory has only one teacher, and it is extremely difficult to find suitable personnel for these crucial, demanding positions. Yet, even the finest teachers could accomplish little, when they are working with 150 children of a different culture, and are responsible for their care and welfare 7 days a week.

Of course, there are aids working with the teachers—usually two, but occasionally only one on duty at a time. However, what with trying to mend clothes, supply linens, check roll, keep order, fill out forms, prepare children for meals, bathing, school, and bed, there is little time to do more than keep the walls from being pulled down. There is nothing to take the place of the homes they have left behind, or the personal interest and training they would have received from their families. The social relationships and interaction which brings about stability and contentment are denied them.

Even an effective guidance program could not replace that. But the truth is, we don't have an effective guidance program, only a "maintenance" program, due to the shortages of guidance personnel, funding, and planning. This accounts for the high degree of regimented confusion that abounds after the

> schoolday ends. Vast blocks of time are filled with boredom or meaningless activity. There are no learning activities, and few recreational or craft areas being worked in.
>
> The children search everywhere for something—they grasp most hungrily at any attention shown them, or to any straw, that might offer escape from boredom. You can't help but see it in their faces when you visit the dorms of the younger children. At the older boy's dormitories, they are used to the conditions—you can see that too. They no longer expect anything meaningful from anyone. Many have lost the ability to accept anything past the material level, even when it is offered. Unless you lived with them over a period of time, and see the loneliness and the monotony of the daily routine, you cannot appreciate the tragedy of it but it's there.
>
> Because of the shortage of personnel, there is a tendency—a pronounced tendency—to "herd" rather than guide. The boys and girls are yelled at, bossed around, chased here and there, told and untold, until it is almost impossible for them to attempt to do anything on their own initiative—except, of course, to run away. The guidance people indefinitely need help.[25]

Despite the historical precedent of extensive utilization of Federal day schools in the 1930's and the fact that means have been found to bus 2,300 Navajo Headstart children on a daily basis to 115 different sites across the reservation (by leasing smaller buses), the usual reason put forward for the existence of elementary boarding schools is the lack of all-weather roads on the reservation. It is surprising, therefore, to discover that two-thirds of the Navajo children in elementary boarding schools live 25 miles or less from the school they attend, and 90 percent of them live 50 miles or less. In light of this information (which the BIA had not been aware of until requested to prepare the data for the subcommittee) one would assume there would be an integrated school and road construction plan. However, according to a recent report of the House Appropriations Committee investigating staff, "BIA has never requested or required a study on the Navajo Indian Reservation which would show the effect of road construction on proposed school construction and operations. There are no present plans to revise the 10-year road construction plan to take into consideration BIA school construction or operations. BIA procedures require that separate proposals be submitted for road construction and for school construction."[26] The subcommittee hearings in Flagstaff also revealed the fact that Navajo families and communities are never involved in the planning or the site selection for new schools. They have objected vociferously on numerous occasions but have as yet to be listened to.

Despite a general agreement that elementary boarding schools are destructive, no concerted effort has been made to do anything about them, and a thorough study of the problem by an independent team of consultants has never been requested or conducted. In May 1967 the American Academy of Pediatrics Committee on Indian Health requested that such a study be conducted. Nothing has happened to date.

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[25] Hearings, Subcommittee on Indian Education, pt. 5, 1968, pp. 2130–2133.

[26] Hearings, Department of the Interior and Related Agencies Appropriations for 1969, pt. 2, p. 597.

Because of this lack of sufficient data, the subcommittee held public hearings in the fall of 1968 to gain additional information. At those hearings two psychiatrists, Dr. Karl Menninger and Dr. Robert Leon, testified that elementary boarding schools were destructive and should be abolished. Dr. Robert Bergman, the psychiatrist presently serving the Navajo reservation, has pointed out in a paper prepared for the subcommittee that the boarding schools have a negative effect on the Navajo family and social structure as well as on the children.

> Among the young adults who are the [illegible] generation of Navajo in which the majority went to school, there are many severe problems. The problems that occur with excessive frequency are ones involving the breakdown of social control: drunkenness, child neglect, and drunken and reckless driving. Alarming numbers of people have lapsed into an alienated, apathetic life marked by episodes of delinquency and irresponsibility. * * * I have encountered many mothers who take the attitude that they should not have to be burdened with their children and that the hospital or some other institution should care for them. It seems a reasonable hypothesis that their having been placed by their own parents in an impersonal institution contributes to such attitudes, and it is noticeable that the boarding schools provide children and adolescents with little or no opportunity to take care of other children or even of themselves.[27]

The Meriam Report in 1928 had noted the same thing.

> Indian parents nearly everywhere ask to have their children during the early years, and they are right. The regretable situations are not those of Indians who want their children at home, but of those who do not, and there is apparently a growing class of Indian parents who have become so used to being fed and clothed by the Government that they are glad to get rid of the expense and care of their children by turning them over to the boarding school.

2. OFF-RESERVATION BOARDING SCHOOLS

As early as its first hearings in December of 1967, the Senate Subcommittee on Indian Education was made aware of the mental health problems associated with Indian boarding schools. Since that time, the subcommittee has sought to gather as much information as possible about those boarding schools which appeared most problematic: the elementary boarding schools on the Navajo Reservation and the off-reservation boarding schools in which students with a variety of "social" problems are enrolled.

The Bureau of Indian Affairs operates boarding schools in all, with a total student population that exceeds 34,000. More than 12,000 students attend the 19 off-reservation boarding schools; approximately 10,000 students are enrolled in the 13 off-reservation boarding schools in which subcommittee staff and consultants have conducted formal evaluations. (These are published in a separate Committee print).

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[27] Hearings, Subcommittee on Indian Education, pt. 3, 1968, p. 1126.

The following criteria are used as the basis for admission:

Education criteria

1. Those for whom a public or Federal day school is not available. * * *

2. Those who need special vocational or preparatory courses, not available to them locally, to fit them for gainful employment. * * *

3. Those retarded scholastically 3 or more years or those having pronounced bilingual difficulties. * * *

Social Criteria

1. Those who are rejected or neglected for whom no suitable plan can be made.

2. Those who belong to large families with no suitable home and whose separation from each other is undesirable.

3. Those whose behavior problems are too difficult for solution by their families or through existing community facilities. * * *

4. Those whose health or proper care is jeopardized by illness of other members of the household.

The determination of "eligibility" of students enrolled under one of the social criteria is made by Bureau social workers on the student's reservation. Although parental approval and approval of the reservation superintendent are also required, social workers usually initiate the application process and are the primary decision agents. As John Bjork notes in his evaluation of the Flandreau School:

> Decisions to send children to boarding schools are made at the local level and may well be one of the most vital effects upon his life that a child will ever encounter. Once in the boarding school system he is not likely to leave it.[28]

Mr. Bjork recommends that the decisionmaking process by reservation school administrators, social workers, tribal councils, and the courts is worthy of "determined study and analysis." The subcommittee concurs.

As the evaluation reports make clear, the student population of the off-reservation boarding schools is one with special social and emotional problems. At the Albuquerque Indian School, 50 percent of the students were enrolled under the social criteria; at Busby, 98 percent; Chilocco, 75 percent; Flandreau, 90 percent; and Stewart, 80 percent. Further, the Bureau estimates that at least 25 percent of the students in these schools are public school dropout (or pushouts). Others have accepted boarding school placement as an alternative to a reformatory. And many move from school to school year after year.

Student mobility among boarding schools causes its own particular problems. Reporting on the Pierre school, Bjork notes that

> The academic record of a child generally accompanies him without too much difficulty; the system fails, however, if the child moves frequently. Social summaries continue to be brief and outdated in many instances.[29]

And, at the Intermountain school, the evaluation report cites the staggering administrative problem caused by the arrival of hundreds of students without records of any kind. This year there were over 600.

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[28] "A Compendium of Federal Boarding School Evaluations," Committee Print, vol. 3, October 1969, Subcommittee on Indian Education.

[29] Ibid.

Scattered among the boarding school students who are enrolled for social reasons are those whose presence is derived soley from the inaccessibility of education close to home. Several of the evaluation reports highlight the difficulties of such heterogeneity. The Bureau's Intermountain evaluation, for example, states:

> A decision needs to be made about the direction of the school and the type of student it *will serve. At present Intermountain* School has such a varied student body that it is impossible for the present staff and faculty to meet all needs of all students. And, again we heard the comment, we do not know what our mission is, are we going to serve as a dumping ground for youngsters the reservation schools do not want, do we operate a vocational high school with some terminal training, or do we operate a comprehensive high school program?[30]

The effects on Chilocco, as observed and reported by Richard Hovis, a student teacher, are similarly distressing:

> The few delinquents at Chilocco give the whole school a reform school atmosphere. A small number of the students are sent there because they can't get along anywhere else. These students force the administration to be very strict with rules and regulations. As a result, many teachers categorize all the students as delinquent cases and treat them as such. It is no wonder that the students have little to say in class when they are thought of as poor, ignorant, Indian juvenile delinquents.[31]

At Flandreau, the report quotes the principal's remark that he is not sure anyone knows or agrees upon the goals of the school. To the agency social worker and the superintendent, Flandreau is a dumping ground. The principal stated:

> Students now come for social reasons, but the staffing hasn't changed one bit to meet the social reasons . . . We talk social problems yet respond in an academic manner.[32]

The same lack of appropriate response to social problems is presented by Dr. Anthony S. Elite in his report of the Phoenix Indian School. Dr. Elite says:

> At the Phoenix Indian School alone, for example, out of an enrollment of approximately 1,000 students, over 200 come from broken homes. Five hundred and eighty students are considered academically retarded. There are at least 60 students enrolled where there exists a serious family drinking problem. From September to December of 1967, there were 16 reported cases of serious glue sniffing. The school is often pressured into accepting students with a history of juvenile delinquency and overt emotional disturbance.
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> With this great change in the profile of the student body there has not been a concomitant change in staffing skilled workers or training existing personnel to cope with these problems.

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[30] Ibid.
[31] Ibid.
[32] Ibid.

> The situation has reached crisis proportions.[33]

Although one would expect that the program offered to Indian students in off-reservation boarding schools would differ from the standard secondary fare, reviewers discovered quite the opposite. The Oglala team, for example found the following:

> The curriculum is basically college preparatory. During the freshman year, each student is required to take a course in the practical arts; but, the advance offerings in this area are very limited. During our visitation with students, they expressed a desire for courses which would better prepare them to go directly to employment. The present curriculum has no department which is providing terminal education.[34]

At Busby, the evaluators conclude that "The program has practically no relevancy to any student needs." About Flandreau, Bjork writes:

> The school appears to have resolved the old "saw" of whether schools are providing "terminal" education with a firm negative response from everyone, except those staff members concerned with other than academic education.[35]

At Stewart, the evaluators found students who required intensive remedial work. Instead, they were offered "watered-down 'easy' curriculum".

> The mathematics program provides a good example. The first course for "high school" students teaches addition and subtraction. The second-level course deals with all four basic operations plus fractions. The next course is concerned with proportions for simple algebra, while the top course is finally algebra.[36]

The Stewart evaluation concludes:

> One of the major problems at Stewart is that no one seems to have identified the fact that Stewart is a specialized school dealing almost exclusively with problem children who are low achievers. Eighty percent of the students are assigned to Stewart for this reason and yet the school is operated as though this wasn't true.[37]

After reading these reports, it is not difficult to understand why the academic performance of boarding school students, as measured by standardlized tests in school after school, falls 2½ to 3 years below grade level, sometimes more. Not only do the students bring learning handicaps at entry, but the educational program proceeds in complete oblivion of their need.

If the evaluation teams found the schools' programs sorely in need of change, their impressions of staff adequacy were hardly more encouraging. In many cases, neither the quality nor the quantity of personnel was judged satisfactory. The reports frequently cite insufficient numbers of dormitory personnel and lack of training for these positions as especially serious flaws.

The summary of the Seneca evaluation comments:

> The boarding school staff is almost entirely Indian, with the median age in the forties; many of them have attended board-

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[33] Ibid.
[34] Ibid.
[35] Ibid.
[36] Ibid.
[37] Ibid.

> ing school or have spent all or most of their working lives in boarding schools. Their approach to dealing with youth, whatever it may be, appears to be based on this background.[38]

An evaluator of the Sherman Institute writes:

> * * * A rapid survey of the Institute produces the impression of a rigid, uncompromising, bureaucratic, authoritarian, non-innovative feudal barony in which students are "handled" or "processed" rather than educated.[39]

And, in the reports on Flandreau and Pierre, these statements appear:

> Staffing patterns should be adjusted to needs of the pupils. If the schools continue to be operated for children in trouble of one kind or another, the proportion of education specialists capable of remedial instruction, social welfare, guidance, counseling, analysis, and recreation should be sharply stepped up. These services are vitally needed now and there is probably no circumstance of redefinement of the schools' mission which should not include at least a modest increase in these kinds of personnel. If schools assume a parental role and provide a home, they should be vastly more concerned for the hours of pupils outside the classroom—in recreation, games, entertainment, work, study, and personal growth.
>
> Pre-service and in-service preparation of teachers must be organized and pushed. It is not humane nor efficient to allow teachers to learn their profession by practicing on the defenseless. The preparation and development of instructional aides and matrons is a matter of high priority.[40]

Neither the program nor the personnel, and obviously the two are related, suit the majority of the student body of the off-reservation boarding schools. In his report on Flandreau, John Bjork offers his understanding:

> The schools are operated solely by educators for students referred, in the main, by social workers. The schools accept, knowingly, a wide variety of complex social, psychological, educational and cultural disorders. Social workers and educators "use" the outmoded idea that sending people far from the scene of their social and emotional problems will somehow, almost miraculously, solve the problems. (The demise, years ago, of orphanages and, more recently, large isolated state mental hospitals, attest to the abandonment of this theory in social and psychiatric thinking.) Further, it is commonly acknowledged by BIA social workers and educators alike that when social histories are written, the sophisticated referral includes just enough damaging evidence to "justify" removal of the child from his home community, but not enough to preclude his acceptance at the school. The school is, indeed, a dumping ground. Should the adjustment process prove too difficult for school or student, he is returned home or passed along to another boarding school, day school, public school, training school, state hospital, or lost completely. For the

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[38] Ibid.
[39] Ibid.
[40] Ibid.

> student, the psychosocial nomadism and chameleon responses, described by the Flandreau Papers, set in. For the staff, distrust and alienation are heightened.
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> The situation demands imaginative and cooperative child health, welfare, and education programing at the local level. Fragmentation of effort is rampant and the power structure is well established.[41]

Not only at Flandreau, but all the off-reservation boarding schools, the institutions are operated solely by educators for students referred primarily by social workers. They are not equipped to deal with the problems for which the students were referred. Once the referral is completed, there is little communication between the educators and the social workers. Nor is there adequate communication between the Division of Indian Health personnel and the school staffs. Clearly, much of the blame for these schools' failings must be attributed to this fractionalization of responsibility. Its effects are well described in the Busby evaluation:

> It is not doing any kind of a job of rehabilitating the misfit children in its boarding school program; but then it was not designed, funded or staffed as a mental health clinic. The Busby school, both day and boarding, seems to be operating primarily as a custodial institution, designed and functioning to give Indian children something apparently relevant to do until they are 18 years old while creating a minimum of anxiety for all concerned—pupils, parents and staff.[42]

Perhaps the greatest irony of all is that even as custodial institutions, the Bureau's off-reservation boarding schools are not satisfactory. Several reports point to examples of overcrowding in dormitories or classrooms, of lack of privacy for the students, of inadequate areas for study and recreation, of unappealing meals, of rules which irritate older students by their rigid enforcement and inappropriateness to the student's age, and of punitive discipline. That the dormitories are like "barracks"; that the living conditions are "sterile" and "unimaginative" and "institutional"—these are the descriptions that reappear.

If the boarding schools acted only as custodial institutions, criticism enough could be directed at their failing to educate and at their failing to meet the psychological and social needs of the students as individuals. A strong case can be made, however, that the boarding schools contribute to the students' mental health problems. In testimony before the subcommittee, Dr. Robert Leon reported the following:

> Some of the effects of Indian boarding schools are demonstrated by the very people who are now working in the boarding schools. Many Indian employees, most of whom are guidance personnel, are themselves a product of the Indian boarding school. I have found that some of these people have great difficulty in discussing their own experience as Indian students. Many of them show, what I would call, a blunting of their emotional responses. This I would attribute to the separation from the parents and the oppressive atmosphere of the boarding school.[43]

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[41] Ibid.
[42] Ibid.
[43] Hearings, Subcommittee on Indian Education, pt. 5, 1968, p. 2152.

Another observer, Dr. Thaddeus Krush, reported his "Thoughts on the Formation of Personality Disorder" after a study of an Indian boarding school population. He concluded that the students' "frequency of movement and the necessity to conform to changing standards can only lead to confusion and disorganization of the child's personality. The frequency of movement further interferes with and discourages the development of lasting relations in which love and concern permit adequate maturation." [44] Other mental health experts have expressed similar concerns about the effects of boarding school institutionalization. If they continue to exist, it is painfully obvious that their mission, staffing and program must be freshly tailored to the very special needs of their student bodies.

Of that, the summary of the Stewart evaluators leaves little doubt:

> Stated succinctly, we feel Stewart is a tragedy. Historically an isolated school for problem children, it is now the school to which Indian children from the Southwest are sent as the only alternative to dropping out of education entirely. At Stewart these children are passed from one vocational department to another, never receiving sufficient training to prepare them for jobs, and never receiving the remedial programs necessary to cope with their deficiencies in reading and writing English. They graduate from the school with a high school diploma and a ninth-grade education. * * *
>
> The teachers at Stewart know their task is hopeless. They accept the "low potential" of their students, and expect to prepare them for the lowest of occupations. They are indifferent, uncreative, and defeated. The guidance staff attempts to ameliorate the schools' archaic social rules, but must fight dormitory aides who were educated at Stewardt and who believe in and enforce strict discipline and puritanism. The principal believes in trying new approaches and remedial programs, but must work with teachers whom he has not chosen, and a completely inadequate budget. The students must obey rigid social rules characteristic of reform schools, while living under the lie that they are actually receiving a high school education. They have almost no contract with the world outside the barbed-wire boundaries of the campus, and cannot even return to their homes for Christmas. That they remain vibrantly alive human beings at Stewart is neither an excuse for the schools' existence nor a negation of the tragedy. They remain children confused and threatened by White America, deprived of an adequate education and subjected to inhumane rules restricting every aspect of their lives.[45]

Dr. Jones M. Kilgore, Jr., a psychiatrist who since 1960 has been a consultant to the Public Health Service and has worked with students at the Phoenix Indian School, has made the following recommendations in a report to the subcommittee:

> In my rethinking the problems of a boarding school off the reservation, I have arrived at several conclusions. There are tremendous problems involved in managing a boarding school off the reservation in terms of teaching and taking care

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[44] Op. Cit. Committee print, vol. 3, October 1969.
[45] Ibid.

> of the students as well as meeting their emotional needs and giving them guidance in developing into young adults. Most of the students come to the boarding school because they are having problems on the reservation with the schools that are locally available to them or with their parents and many have rather severe psychological problems imbedded within their early personality development. * * * It is my opinion that the boarding school, if it is to continue and be allowed to exist, should be made into a "residential treatment center school" with emphasis not only on giving adequate education, but also providing adequate foster parents and appropriate plans for mental health development and treatment of mental disorders.[46]

A similar recommendation for transforming the off-reservation boarding school was made to the subcommittee by Dr. Robert L. Leon in his testimony on October 1, 1968. Dr. Leon phrased his recommendation this way:

> I propose to you that funds be made available from the Congress to convert many of the Indian boarding schools into residential treatment centers for emotionally disturbed children. The schools which are converted into residential treatment centers should be administered by mental health personnel. The program should be planned and developed jointly by mental health and educational personnel. All educational and dormitory personnel should have training in the care and treatment of emotionally disturbed and socially deprived children.[47]

In making this recommendation, Dr. Leon contends that the present inadequacy of the boarding schools to treat the emotional problems of the student nullifies the educational effort; that, bluntly, the boarding school experience "does more harm than good. They do not educate; they alienate."

Dr. Kilgore and Dr. Leon are not unprecedented in their suggestion. The Meriam report, some 40 years back, suggested that some of the off-reservation boarding schools "might well become special schools for distinctive groups of children":

> For the mentally defective that are beyond the point of ordinary home and school care; for * * * extreme "behavior problem" cases, thereby relieving the general boarding schools from a certain number of their pupils whose record is that of delinquents, who complicate unnecessarily the discipline problem, and for whom special treatment is clearly indicated.

Since so many of the students in the off-reservation boarding schools do comprise a group with special psychological problems, these recommendations make eminent good sense. It is unfair not only to these students, but to their more fortunate classmates, to treat them in an undifferentiated curriculum. It is overly harsh to send these young people to off-reservation boarding schools because of "social" reasons and then to fail to provide assistance for their problems.

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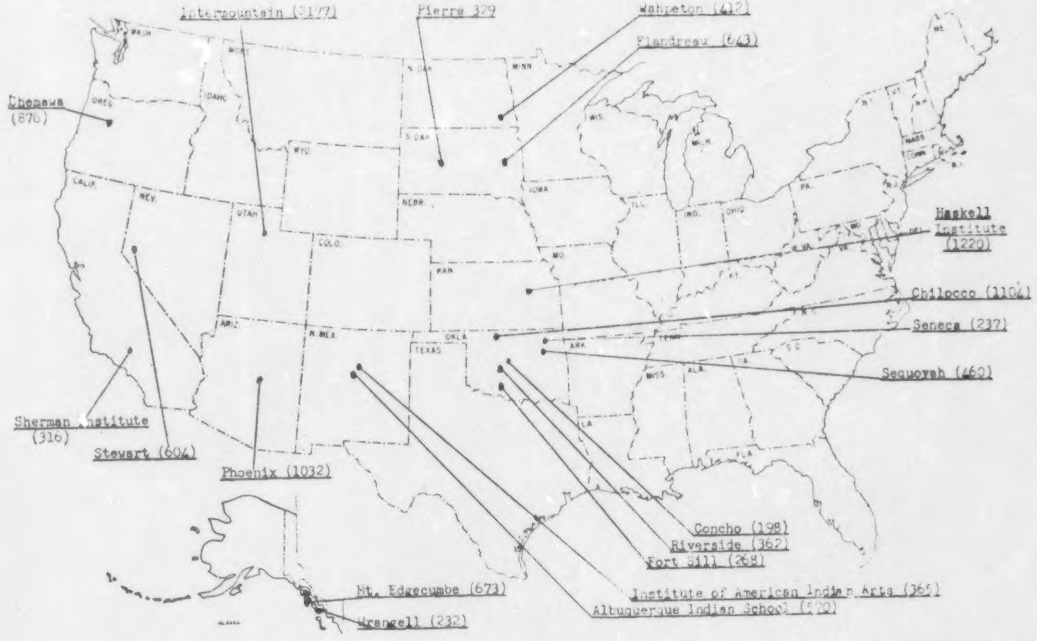
[46] Ibid.

[47] Hearings, Subcommittee on Indian Education, pt. 5, 1968, p. 2155.

BUREAU OF INDIAN AFFAIRS

Off-Reservation Boarding Schools

(enrollment Fiscal Year 1968)


Intermountain (2177)
Pierre 329
Wahpeton (412)
Flandreau (643)
Chemawa (676)
Haskell Institute (1220)
Chilocco (1104)
Seneca (237)
Sequoyah (460)
Sherman Institute (316)
Stewart (604)
Phoenix (1032)
Concho (198)
Riverside (362)
Fort Sill (268)
Institute of American Indian Arts (365)
Albuquerque Indian School (920)
Mt. Edgecumbe (673)
Wrangell (232)
WASH
OREG
CALIF
IDAHO
MONT
NEV
UTAH
ARIZ
WYO
COLO
N. MEX
N. DAK
S. DAK
NEBR
KAN
OKLA
TEXAS
MINN
IOWA
MO
ARK
LA
WIS
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MICH
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OHIO
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TENN
MISS
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GA
FLA
S.C.
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N.Y.
VT
N.H.
ME
MASS
CONN
R.I.
ALASKA

D. SPECIAL PROGRAMS

1. VOCATIONAL EDUCATION

In 1928, the Meriam report criticized the inadequate and ineffective vocational training programs being offered by the BIA. As a result, a number of changes were made and new programs initiated.

Vocational courses were improved and an attempt was made to relate them to the economic base of the reservations. Although academic courses were upgraded and increased and provision was made for higher education, vocational education still dominated the Bureau's approach to Indian education.

It was the Bureau relocation program, begun in 1952 that spotlighted the deficiencies in the Bureau high school vocational program. The relocation program was designed to provide the means whereby Indians could leave the economically depressed reservations and go to an urban area where jobs were more plentiful.

The Indian family or single adult was transported to certain cities where the BIA had established relocation field offices to receive them. Field office staff provided general counseling to the relocatees and assisted them in finding employment and housing. Financial support was provided until the relocatee was employed and receiving wages.

It soon became apparent that the undereducated, poorly trained Indian with his rural background and cultural differences had not been adequately equipped to compete in the labor market or make an adequate social adjustment to his new environment.

As a result of these deficiencies, between 1953 and 1957, three out of 10 relocatees returned to the reservation in the same year they had been relocated. There are no statistics which would show how many eventually returned, but the rough estimates run as high as 75 percent. A follow-up study conducted by the Bureau in 1968 of Indians relocated in 1963 indicated that only 17 percent were still in the area to which they had been relocated.

The general failure of the relocation program to achieve the objectives for which it had been established had a major impact on vocational education in the BIA and generated a response in two areas. New legislation was passed in 1956 to provide training for Indian adults so that they could meet the labor market standards of the cities where they were relocated.

The second impact of the relocation debacle was on the Federal school system. The failure of the program brought into sharp focus the shortcomings of the vocational education program provided in high schools operated the Bureau. In 1957, a period of study and evaluation began and in 1963, a new policy was set forth which, in theory, ended vocational education in Bureau high schools.

Under the new policy, BIA high schools would now provide only prevocational education. Thus, at the high school level, a prevocational curricula would be adopted that would qualify students for admission to post-secondary schools. Such a curricula would include, at the ninth grade level, emphasis on reading, writing, and arithmetic, a series of "practical arts" courses which would teach purchasing, packaging, money management, etc., and field trips to acquaint students with various occupational fields. At the 10th, 11th, and 12th grade level, the curricula would be focused on preparatory or "exploratory" shop courses which would give the student a basic knowledge and experience in occupational fields.

With a curricula now giving primary emphasis to academic courses and offering only prevocational education, the Bureau established a goal of 90 percent graduation rate by 1970 with 50 percent of those graduating going on to college and 50 percent attending post-secondary vocational schools.

Recent data demonstrates that the 1963 policy for Bureau high schools falls far short of the goals set for 1970. The 1967 statistics reveal a 40 percent dropout rate of students entering high school with only 28 percent of those who finish high school entering college. Of the 28 percent going to college, only one-fourth graduate. It appears that 45 percent of the high school graduates continue their training other than at college, but information is not available on how many complete their training. BIA schools maintain very inadequate followup records or no records at all.

The success of the prevocational program is dependent upon the adequacy of the academic program, the ability of the students to master the program, and the adequacy of vocational guidance counseling. Several studies have been made of the achievement level of Indian students entering high school. Many of these studies indicate that Indian students have an achievement level 2 or 3 years below grade level when they enter the ninth grade, and fall even farther behind in high school. Obviously, such students will have great difficulty in post high school training programs.

Other studies point out a desperate shortage of trained guidance counselors in the Bureau schools. Coupled with this is the fact that many of the qualified counselors in the Federal schools are not being used effectively or are not being used at all in their professional capacity. Moreover, qualified counselors rarely have a background in vocational education. Counseling in the field of vocational education requires special knowledge. One study states that there is a "built-in bias" in all high schools in providing counseling for college-bound students, but very little guidance for those students interested in vocational schooling. Reports from Bureau personnel confirm that this attitude is even more prevalent in Bureau schools.

Another source of information on how well the 1963 policy is functioning with regard to prevocational training are the evaluations of Federal Boarding Schools conducted by the subcommittee staff and consultants. The following excerpts and comments on the evaluation reports of four BIA schools point up dramatically the inadequacy of the present high school program.

Stewart Indian School.—"* * * the Stewart experience falls far short of an academic challenge." Students see the school "as an easy place." The "watered down" academic curricula is "* * * given secondary consideration to the vocational program."

However, the vocational program (prevocational except for house and sign painting) is not much better.

> Initially, students are rotated from one vocation specialty to another * * * until the junior year, after which they spend one half day of each school day in one vocation * * * The

> boys who do best are encouraged to take painting or carpentry, while the "low" achievers are placed in general farm work and heavy equipment operations. The girls may choose from one two fields—general and home services (domestic work) or "hospital ward attendant" training, which the girls considered a degrading farce—a euphemism (they say) for more domestic work.
>
> * * * the children * * * are passed from one vocation department to another never receiving sufficient training to prepare them for jobs. They graduate from the school with a high school diploma and a 9th grade education and expect to compete with other Indians as well as non-Indians in post-graduate vocational schools and the job market.[48]

It is readily apparent from such a description that not only does the high school prevocational effort at Stewart fail to prepare the student for employment, but it also fails to prepare him for further vocational training.

Flandreau Indian Boarding School, Flandreau, South Dakota.—The Flandreau school receives many of the academically retarded and "social problem" students and is considered a "dumping ground" for this purpose. The curricula is intended to be prevocational, but the evaluation team found considerable confusion as to the specific goals of the school.

The students appear to want more vocational training as "[they] are spending more time in the shops than they did the previous year when classes were an hour long.* * * Students progress at their own rate [in the shops] and take tests when they feel they are ready. * * * Of the upper classmen who do not take shop, half can't because they've failed required courses. * * * Mr. Mullin [an instructor] admitted that some of the training was being given with obsolete equipment."[49]

In defense of the administrators of the Flandreau school, it can be said that the "confusion" as to its purpose and goals reflects the indecision and vaciliation at the policy-making levels of the Bureau.

Chilocco Indian School, Chilocco, Okla.—As with the Flandreau and Stewart schools, Chilocco receives many of the academically retarded and socially maladjusted Indian students. Also, as in the Flandreau school, there is pitiful lack of program direction. The evaluation report states that, "There seems to be a question of whether Chilocco should provide a vocational, comprehensive, or academic program."

According to the administrators, "Chilocco is de-emphasizing its vocational program in accordance with the 1963 policy statement, but 50% of its students entering 9th grade fail to graduate," and "the number of graduates entering college is practically nil." One evaluation team states that, "* * * the program at Chilocco is inadequate in every respect." The classes are too large, there is not enough equipment, and what equipment they have is obsolete and inoperable.[50]

Sherman Institute, Riverside, California.—The evaluators of this school summarized their findings as follows:

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[48] Op. cit., Committee print, vol. 3, October 1969.
[49] Ibid.
[50] Ibid.

1. Inadequate outside evaluation.
2. Inadequate staff, both administrative and qualitative.
3. Inadequate administrative skill in budgeting, use of surplus property, etc.
4. Inadequate vigor in defending the interests of the students.
5. Inadequate admissions criteria.
6. Inadequate feed back of results.
7. Inadequate funding.
8. Inadequately identified goals.
9. Inadequate plant facilities.
10. Inadequate vocational training.[51]

Even had the vocational program of the school been found adequate, it could not have operated effectively in light of these serious general deficiencies.

The evaluators found that the industrial arts courses appeared to be "hobby shops."

> The shops and labs are pro forma. Metal and wood working machines and tools are limited in scope and are of World War II vintage. By most minimal vocational training standards, they are inadequate in size, equipment, and staff.[52]

One theme running through these evaluations is that the vocational programs lack a central, unified, coherent structure and focus, both within each school and within the Bureau system. In summary, although the current philosophy of the Bureau is to prepare students for off-reservation employment, it does ". . . not prepare students academically, socially, psychologically, or vocationally for urban life." It can equally well be said that the limited prevocational program in BIA schools has no relevance to manpower needs or economic development of the Indian community.

2. HIGHER EDUCATION

In an average class of 400 Indian students in Bureau high schools, 240 can be expected to graduate from high school. Of those 240, 67 can be expected to attend college. Of these 67, only 19 will graduate from college.[53] According to October 1966 statistics, 2.2 percent of the national population was enrolled in college. Only one percent of the Indian population was in college at that time.[54]

Yet despite the few number of Indians in college, and the even fewer number who graduate from college, Indian students have expressed a definite desire to attend college. The study by ABT Associates, Inc., found that three-fourths of the Indian students in Bureau schools wanted to go to college.[55] Three percent desired graduate studies at the masters or doctoral levels. Less than 18 percent wanted their education to end after high school. The study found the students' aspirations unmatched with their teacher expectations, though. According to the report, "The majority of the teachers not only did not consider college preparation the primary objective, but almost totally rejected graduate education as a goal."[56]

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[51] Ibid.
[52] Ibid.
[53] Report of ABT Associates, Inc., Cambridge, Mass., prepared for BIA, 1969.
[54] Legislative Reference Service, Library of Congress, Washington, D.C.
[55] ABT Study, p. 46.

There are many reasons why there aren't more Indians in college, and why, once they are enrolled, they are more prone than non-Indians to dropping out. The expectations of teachers, as cited above, are most important. If a teacher doesn't think his pupils are worthy of college, the pupil begins to internalize the teacher's belief, and looks upon himself as unfit for college. The subcommittee hearings record several examples of teachers and counselors discouraging Indians from higher education, in some instances, just because they were Indian.

Dr. Lionel H. de Montigny, Deputy Director of the Division of Indian Health in the Public Health Service at Portland, Oregon, reported the following incident in a letter to the subcommittee:

> David Butler, a Makah Indian, wanted to enter college with the hope of entering medical school at a later date. His local advisers told him that it was out of the question. No Makah had ever applied before and he could not be expected to make it. He was advised to become a cook.[57]

Guidance counselors in Bureau schools often serve more as dormitory managers and disciplinarians than as persons interested in guiding Indians into higher education. Bureau guidance counselors meet civil service requirements, but very few are State-certified professional counselors. A 1969 survey of the Navajo area school system showed that only 30 of 160 guidance counselors were professional counselors certified by the State.[58]

When many Indians get into a college they find themselves inadequately prepared academically to deal with college work. Most Indians graduate from high school about 2 years behind the average non-Indian high school graduate in the United States. The language difference also serves as a handicap to many Indian students. McGrath's study of more than 600 Indian college students in the Southwest found that facility with English, as measured by standard tests and instructors' evaluations, was definitely correlated with success in college.[59] Another study showed that the bilingual college student lacked self confidence, felt unprepared to deal with the college environment, and, on the whole, had a more difficult time learning and retaining class material.[60]

The emotional and social adjustment problems the Indian encounters in college also play a part in his inability to succeed in college. Although most college students have problems in this area, studies indicate the problems of Indians to be of a more serious nature. Many are thrown into a new environment with different customs and different values, and they never fully recover from the trauma. McGrath's study indicated that difficulty in participating in social events, difficulty in making non-Indian friends and difficulty even in making Indian friends were all related to academic achievement. He said that Indians with such difficulties—and several studies reported Indians as having such difficulties—tend to receive lower grades and eventually drop out of college. Other studies have suggested that the difference in values held by Indian groups and those held by the American educational system hamper Indian adjustment to the college environment. As Zintz stated:

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[56] Ibid., p. 49.

[57] Letter from Dr. Lionel H. de Montigny to Adrian Parmeter.

[58] Legislative Reference Service, Library of Congress, Washington, D.C.

[59] McGrath, G. D., et al. Higher Education of Southwestern Indians With Reference to Success and Failure, Arizona State University, 1962.

[60] Artichoker, John, and Neil M. Palmer. The Sioux Indian Goes to College, Institute of Indian Studies, University of South Dakota, Vermillion, 1959.

> The value system which gives direction to living and determines life goals for Indians has not established the kinds of motivations, aspirations, and thought patterns necessary for success in college.[61]

Another contributory cause to the small Indian college enrollment is insufficient funds, especially for clothing and spending money. The research of Artichoker and Palmer found this to be one of the decisive factors in the Indian's academic failure.[62] Financial difficulties were generally found to be most severe for those who attended college at least a year.[63]

Attempts have been made to deal with the causes of Indian dropout from college, but they have not adequately solved the problem. Loan and grant programs available to Indian students, for example, have increased considerably in recent years, yet still don't begin to meet the need.

The Bureau of Indian Affairs made scholarship grants to 2,669 of the approximately 4,300 Indians attending college on a regular basis in 1968. The grant averaged $859 per student.[64] The total expended for scholarships that year was $2,296,009. Just 5 years earlier, in 1963, the Bureau was spending only about $56,000 for scholarships. The Bureau hopes to increase its scholarship program so that by 1975, more than 7,000 Indians will benefit from it.[65]

In addition to the BIA program, national defense loans and work-study programs are also available to Indian students. A number of States, including New York, Minnesota, North Dakota, South Dakota, Montana, and Wisconsin, have State scholarship programs for Indians.[66] A number of tribes have their own scholarship and educational loan programs. McGrath reported, for example, that 14 of 37 Southwestern tribes studied awarded scholarships. The United Scholarship Service, a private nonprofit corporation in Denver, Colo., has aided Indians in finding scholarships.

But despite the growing number of scholarship and financial aid programs, the full need is not being met. The number of applicants is increasing yearly, and so is the cost of tuition and the other expenses that are a part of college. The Bureau has been able to provide only limited funding for graduate students. It estimated that some 400 Indian graduate students will be requiring money.[67]

Because the Bureau scholarships do not provide any additional subsistence for married students, such Indian students especially those with families, must suffer serious financial problems or withdraw from school. Between 350 and 400 Indian students attended school under these circumstances in 1968. The Bureau reports that "many others could not accept single grant amounts and, therefore, did not attend a college at all." [68] Bureau regulations exclude from grant assistance most Indians living away from the reservation. The Bureau estimates there are at least 500 applicants in this category who need supplemental aid.[69] Indian students less than one-quarter degree Indian blood also do not qualify for Bureau scholarships—regardless of their financial need. The Bureau is authorized to grant loans and scholarships only "after all other sources of funds are considered." [70]

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[61] Zintz, Miles V. Education Across Cultures. William C. Brown Book Co., Dubuque, Iowa, 1963.

[62] Artichoker, ibid.

[63] Berry, Dr. Brewton, The Education of American Indians, a Survey of the Literature. P. 77.

[64] Branch of Public School Relations, Bureau of Indian Affairs.

[65] Bureau of Indian Affairs.

[66] Subcommittee hearings, pt. 1, p. 200.

[67] Branch of Public School Relations, Bureau of Indian Affairs.

A number of attempts are also being made to make the transition from high school to college less traumatic for the Indian student. The programs attempt to satisfy both remedial skill building and self-control development objectives.

The Office of Economic Opportunity initiated a pilot program in 1965 to accomplish these tasks. The program, Upward Bound, brings high school students from low-income families together at college for a special program which emphasizes use of such skills as reading, writing, developing thought processes, and explaining ideas. Some programs are being conducted on or near Indian reservations, but the number of Indians participating is small compared to the number who could benefit from this experience. Of the 10,000 Upward Bound students who graduated from high school in 1968, only 4 percent were Indians. Approximately 1,200 of the 24,000 youngsters in the program are Indian. The program has had an enviable record of preparing students for college. For example, of the students who participated in 1967 and graduated from high school, 80 percent were admitted to college. In April 1968, 92 percent of these were still in college.[71]

Another program aimed at bridging the high school-college gap is the summer precollege intercultural program at Fort Lewis College, Durango, Colo. The 6-week program provides an intensive study of the English language for bilingual students, as well as a guidance and counseling program, a tutorial program, and an intensive math program. About 200 students, 90 percent of whom are Indian, participate in the program, which is in its second year. It is federally funded by title III of the Higher Education Act of 1965. Students need not plan to attend Fort Lewis College in order to participate in this summer program. College officials report a 10 percent reduction in the Indian dropout rate since the program's inception.[72]

The University of Alaska, in cooperation with the U.S. Office of Education and the Bureau of Indian Affairs, began an Upward Bound-type program for Alaskan Natives in 1964 called Project COPAN (College Orientation Program for Alaskan Natives) which ran for four summers until funds were no longer available for it. The 6-week program sought to increase the native student's chances of academic success and social adjustment by combining work in language development with a better understanding of his original culture and its relationship to the dominant society. The need for such a program to be reinstated is indicated by the fact that more than 50 percent of Alaskan natives entering the university drop out during the first year, and that only 4 percent graduate after 4 years.[73] The University of Alaska has graduated only one native teacher.[74]

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[68] Ibid.

[69] Ibid.

[70] 62 Indian Affairs Manual, 5.1.

[71] "Upward Bound: A Study of Impact on the Secondary School and the Community," by Greenleigh Associates, Inc., January 1969, p. 11.

[72] Letter from Buford Wayt, director, Fort Lewis College Intercultural Program, to Adrian Parmeter, May 12, 1969.

Dartmouth College's ABC (A Better Chance) program is another means of academically strengthening disadvantaged students, including Indians, to prepare them for college. The students spend two or three of their high school summers in the program. Ten Indians were in the program this year. The college is seeking funds from the BIA to increase Indian participation to 20 youths.[75]

The National Indian Youth Council, together with the University of Colorado, have proposed an American Indian Academic Year Institute which would provide a continuing program for the Indian college student which would improve his personal adjustment and his learning experience. The program calls for development of a curriculum which would serve both functions. Faculty would be experienced in teaching Indian students, students would receive adequate financial support, and research and field experiences would be designed not only to increase skills, but to broaden the student's ability to adjust to differing roles and situations. An Indian coordinating and advisory committee has been established to formulate policy for the institute and coordinate curriculum.

Several universities already have special programs for Indian students or for students who will be working with Indians. The University of New Mexico, for example, has a special program for Indian law students. Arizona State University has established a special curriculum for teachers and administrators who will be working with Indians. Such programs are promising, but to date they are meeting a very small percentage of the total needs.

Beginning in 1963, the Bureau of Indian Affairs conducted an Upward Bound-type precollege orientation program for Indian youngsters at Haskell Institute in Lawrence, Kans. The program attempted to provide a simulated college atmosphere and to prepare students academically with accelerated instruction in English, mathematics, and science. Another objective was to develop within the students self-sufficient attitudes and positive self-concepts. More than 530 students have attended the program since it began. Unfortunately, the Bureau has not collected enough follow-up data on the students to determine how successful the program was in keeping students in college. Due to a shortage of funds in regular program operations, the summer program was not held in 1969. It appears unlikely that the Haskell summer program will be resumed.

The Bureau's Institute of American Indian Arts in Santa Fe, N. Mex., by stressing cultural roots as a basis for creative expression, has helped to develop in many Indian students the self-affirmation necessary to enter college with pride and confidence. The Institute permits students to continue their education for a 13th and 14th year, thus giving many of them the additional educational background to pursue a college education. Between 1966 and 1968, 86.2 percent of the graduating students continued their education beyond high school—23.2 percent to college and 63 percent to the Institute's post-graduate program or formal vocational training. Students who graduated in their 14th year showed a college entrance figure of 42.2 percent, thus indicating the value of this approach in preparing and motivating Indian students for college.[76]

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[73] The COPAN program—"Education for Survival," abstract by Prof. Lee H. Salisbury, director, COPAN program.

[74] Subcommittee hearings, pt. 6.

[75] Letter from Thomas M. Milcula, director, Project ABC, Dartmouth College, to Adrian Parmeter, May 8, 1969.

Indian students have expressed the desire for college educations. The consistently high dropout rates of Indian students, though, indicate the need for a more adequate education in the preparation for college and a better understanding by teachers, administrators and counselors of the problems and needs of Indian students. A lot needs to be done to upgrade the elementary and secondary education Indians are now receiving. More programs are needed to assist, academically and emotionally, Indian students in college. More scholarships are needed so that Indian students can attend college without financial problems hanging over them.

3. ADULT EDUCATION

In the past, the Bureau of Indian Affairs has made only token attempts to respond to the need for adult education on Indian reservations. Adult education personnel of the Bureau have been expected to perform such duties as certifying Johnson-O'Malley funds, overseeing boarding school applications, or serving as truant officers or public school relation specialists. The press of these other duties prohibited them from performing much meaningful adult education. Only within the last 2 years has adult education been recognized as a program with a priority of its own.

The adult education program of the Bureau of Indian Affairs has traditionally defined candidates for literacy training as those having less than 5 years of formal schooling. Estimates of the extent of the problem can be derived from census figures, and a recent study by the Arizona Employment Security Commission concerning the Navajo reservation.

If functional literacy is defined as the ability to read and write at a fifth grade school level, some statistical data is provided by the 1960 census. This in no way assures, however, that all who spent 5 years in a school have a fifth grade level of competency in literacy. In fact, the contrary can be assumed and the target population is actually much larger than the statistics indicate.

AMERICAN INDIANS WITH LESS THAN 5 YEARS OF SCHOOL COMPLETION

Age group	Number	Totals by ages	Number
14 to 19	5,685	Over 14	71,346
20 to 24	4,660	14 to 64	57,448
25 to 34	11,282	14 to 45	32,059
35 to 44	10,432	20 to 45	26,374
45 to 64	25,398	20 to 65	51,763
65 and over	13,898		

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[76] "Native American Arts," by Indian Arts and Crafts Board, U.S. Department of Interior, p. 12.

Comparison with the total society shows that for the 25 and over age group there is a national average of 8.3 percent who had less than five years of schooling (based on the 1960 census). But for the American Indian the rate was three and one-half times that at 27 percent.

It is not unrealistic, based on the above figures and the probability that fifth grade completion does not assure fifth grade competency, to estimate that there are possibly 75,000 Indian adults who are not functionally literate.

Further cause for concern is the report by the Arizona Employment Security Commission concerning the Navajo reservation. The report reveals the following information:

> Of an unemployed labor force of 20,300 persons (representing an estimated 62 percent of the total labor force on the Navajo)—
>
> (1) Sixty-three percent have less than sixth grade education (12,800 persons).
>
> (2) Forty-two percent cannot speak English (8,526 persons).
>
> (3) Fifty percent cannot read or write English (10,150 persons).

The report goes on to state that the lack of education of the labor force indicates that an extensive program must be undertaken to bring them to a state of employability adequate for entry level occupations.

Though basic literacy is a prime objective and a need, it is only a beginning. More and more jobs are demanding high school competency. Yet, in the 1960 census it is reported that only 18.5 percent of American Indians over the age of 25 had completed high school. This compared with a national average of 41.1 percent. This clearly dramatizes the need for opportunity for high school equivalency study on reservations.

EVALUATION OF CURRENT SITUATION

The adult education program in the Bureau of Indian Affairs was revised and recognized in mid-1967. Statistical information on the program has only been available since that date. The subcommittee has determined that no high school equivalency certificates were awarded in 1967. In 1968 there was a jump to 333 certificates awarded. A recent report from Bureau of Indian Affairs provides the following information:

NUMBER OF PEOPLE SERVED IN BUREAU OF INDIAN AFFAIRS ADULT EDUCATION PROGRAM

	Fiscal year 1967	Fiscal year 1968
Formal classes	12,402	33,883
Counseling	13,661	27,510
High school equivalency certificates awarded	(1)	333

(1) None reported. Only 416 individuals were reported as prepared for this certificate through individual study or classes.

The Bureau reports that of the above number, 2,165 individuals were studying in basic literacy classes and 1,353 were preparing for the high school equivalency certificate.

These figures reflect a mere beginning in meeting the needs of Indian adults. It should be noted that the above program provides more than just basic literacy and high school equivalency preparation. The definition of responsibility outlined by the Bureau's adult education program is:

> To provide educational opportunities and learning experiences for Indian adults that will enable them to gain the intellectual and social skills necessary to function efficiently and effectively in the dominant culture at their desired level of participation.

Thus, in addition to the basic literacy and high school preparation courses, the activity offers courses and conferences designed to develop social skills, in such areas as consumer buying, family care, parent-child relations, citizenship, and other areas of special interest to various groups of adults on any given reservation.

Although the adult basic education program has been improved and expanded, it is providing only a small fraction of the educational opportunities needed by the adult Indian population. It seems highly unlikely, given the present funding base, that it can significantly increase its scope.

E. RECENT ATTEMPTS AT INNOVATION

In the fall of 1968, Dr. Leon Osview, professor of educational administration at Temple University, served as a consultant to the subcommittee. He conducted a thorough investigation of the present structure and operation of the Bureau of Indian Affairs Education Division. His report was received on December 6, 1968.

Dr. Osview's finding was that, "the present structure (BIA—education) not only serves to reward unaggressive behavior and docility but punishes, usually by transfer, those who persist in behaving like educational leaders. The reward system of BIA discourages leadership, on purpose. It is therefore not possible to conceive of change and improvement in the present structure." [77]

In arriving at that conclusion Dr. Osview makes the following points:

> 1. Education is not the BIA's highest priority, despite some verbalized recognition of its centrality and despite its large share of the BIA budget * * *
>
> 2. It is my deeply considered judgment that the present * * * administrative structure makes dramatic improvement in education fundamentally impossible. * * * The structure enforces, I believe, a secondary role for the Assistant Commissioner for Education in favor of a primary one for the Area Director * * *.
>
> 3. For education, such a structure is disabling. It stifles initiative, makes education no more vital than, say, land management, and systematically makes the education officials bound by the iron constraints of protocol to noneducation offi-

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[77] Hearings, Subcommittee on Indian Education, pt. I, 1968, p. 300.

> cials. To speak of the possibility of an "exemplary" Indian education under these circumstances of structure is pointless.
>
> 4. * * * the education function requires professional leadership more than it does managerial skill * * *. Even in public school systems, there is no more common course for mediocrity and failure than the superintendency's being discharged in managerial rather than leadership terms.
>
> 5. The Area Director can not be an educational leader, and because he now has the powers of one, the result is that management actually displaces leadership. There is an Alice-in-Wonderland quality about doing this sort of displacement on purpose.
>
> 6. From the perception of the field, the budget is an Area Director's document. He decides who gets what * * *. Obviously, budget decisions are policy decisions * * *. Area Directors are incompetent to make educational policy.
>
> 7. Nothing like the relationship that exists between the education official and the Area Director exists in public schools. Few professional educators * * * would willingly allow their expertise to be so diminished by a middle echelon manager who makes professional decisions for them. The way it is, to use an analogy, is what it would be like to see an M.D. submitting his surgical procedure plan to the * * * hospital administrator for approval, and then following variant orders. Unthinkable? Not in the present BIA structure. All that saves the situation from surrealism is that people try to behave rationally * * *.
>
> 8. It can be no accident that education officers are not recruited as such from public schools. Rather, they grow up in the BIA service, learning the system and its demands long before they get to occupy education officer positions. Of course the system does get inbred that way * * *.
>
> 9. It is doubtful that very much could be done with or to the people in the organization, given the present structure, to encourage innovative educational practice. Recent changes are the exceptions which prove the point. Most modest recent changes are almost entirely a function of ESEA title I. * * * The truth is that the title I proposals were virtually all old ideas which had never been able to work their way through the budgeting process for funding.[78]

He recommends that if the Federal school system is to be substantially improved it must undergo a radical restructuring and assume an almost completely autonomous status within the Bureau of Indian Affairs. "The authority of the area director for any educational function must be abrogated . . . the divorce line must be complete."

In light of this severe structural deficiency one would assume that recent attempts at innovation and change in the Federal schools would have suffered accordingly. This is exactly what was found in the subcommittee evaluation of the new BIA programs funded under title I of Public Law 89-10 and a detailed case study of the new BIA kindergarten program.

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[78] *Ibid.*, p. 289-300.

1. ELEMENTARY AND SECONDARY EDUCATION ACT

Under the so-called "setaside" provision of the Elementary and Secondary Education Act, the Bureau of Indian Affairs receives title I funds through the U.S. Office of Education. Title I money is to be used for programs for disadvantaged students. The following amounts of money have been appropriated under title I for Federal Indian schools:

January 1967	$5,000,000
Fiscal year:	
1968 ($161 per child)	9,000,000
1969	9,000,000
1970	8,100,000

A breakdown of how the money was spent in 1969 is as follows:

Inservice training	$1,800,000
Teacher aides	1,625,000
Pupil personnel services	1,426,000
Curriculum development	925,000
Enrichment (field trips, etc.)	750,000
Language arts	455,000
Health, food, etc	125,000
Kindergarten (classrooms—not training)	82,000
Math and science	29,000
Other	1,300,000

Administrative involvement of the U.S. Office of Education (OE) in these programs is minimal. The usual practice is for the BIA to submit a list of its proposed projects to the Office of Education, which then automatically dispenses the funds to BIA. The BIA has developed no system of priorities in regard to how title I funds should be used. Although the Office of Education may question some projects, it feels awkward about regulating another governmental agency and therefore tends to give the BIA carte blanche authority over the funds. In 1969, one of 92 projects proposed by the BIA was refused funding by the Office of Education. OE conducts no field inspection of BIA-administered title I programs.

PARENT-STUDENT INVOLVEMENT

Meaningful involvement in the planning and evaluation of title I programs by Indian students and parents was generally nominal. Students were practically never involved, partly because the vast majority of projects were at the elementary level and partly because of the BIA's traditional approach to education. Exceptions were Chemawa school in Oregon and Intermountain school (Navajo area) in Utah, which did involve their high school students in planning and implementation of projects.

A majority of reservation schools and agencies have developed parent advisory boards through title I. In a few cases it was found that these boards had been actively consulted, and listened to, in designing title I proposals. In most instances, however, school administrators used the boards as a forum to explain their own plans for title I funds.

ACCOUNTABILITY

Because of the centralized method of accounting used by the Bureau of Indian Affairs, financial audits of BIA title 1 ESEA projects cannot be performed at the local level. Most administrators of individual projects are uncertain as to the amount of funds expended on their projects. They must rely upon the area offices to distribute the project grants approved by the central office. In some cases the area offices used project funds for their own expenditures. Such procedures, coupled with inadequate bookkeeping procedures at the central office and local levels, lead to an almost complete lack of accountability for title I funds. In many instances title I money is mixed with the regular BIA school budget and is used for basic operational expenses, such as teacher salaries. The central office staff has been too small (usually one person) to conduct any significant field inspection or evaluation.

OTHER PROBLEMS

(1) A freeze on Federal hiring and a BIA job-ceiling delayed implementation of some programs and eliminated others.

(2) Rather than being used for supplemental projects which would meet the special needs of poor children, title I ESEA money is often used to offset the deficiencies in the BIA's regular program—deficiencies often caused because of the inadequate funds provided by Congress.

(3) Those who write title I proposals do not adequately define objectives, design programs to meet objectives or design evaluative means of assessing the programs.

(4) The central office has spent considerable money on long-term curriculum development projects which do not provide the payoff in services to children which was intended by title I. Project Necessities, a program to revamp social studies curriculums in grades kindergarten through 12 in all BIA schools, has already cost $300,000 (for fiscal 1969) of an estimated $1.5 million. It will be another 6 to 8 years before the project will be ready for introduction into classrooms, and there is no way the Central Office can compel its use then.

(5) Late funding and the temporary status of title I positions make the recruitment of qualified personnel difficult. The problems involved in hiring personnel for only 9 months are particularly serious in BIA schools since the employees often have to live in isolated areas with inadequate housing. Civil service procedures also tend to delay a person's employment.

(6) Most title I projects lack impact because instead of concentrating funds on one aspect of a problem, the money is usually spread out among all the students.

Title I, in its third year in the BIA, has provided an influx of funds for special programs. Most teachers and administrators state that any innovation and experimentation is due to title I funds. Many believe that BIA could not have operated this last fiscal year, in the face of considerable inflation and increases in enrollment, without the additional funding.

Because of the great differences between operating a State project and operating a program spread over the entire Nation, it is difficult to compare State title I and BIA title I programs. According to Dr. Samuel Alley who conducted the formal evaluation of the BIA title I program, "having read an assortment of State evaluations, it is my impression that the problems and shortcomings of the BIA program are similar to those of most States. Poor evaluation, poor accountability, difficulty in community involvement and diluted impact are commonly mentioned in State summaries."

There are grave problems with the manner in which title I projects were planned, administered, implemented, and evaluated. Some projects were not appropriate to the spirit of title I legislation. Still title I has made certain valuable contributions to the children involved. It has allowed for funding of innovative and exemplary projects which would not have been likely under regular budgeting.

ACCOMPLISHMENTS

1. *Innovative Programs.*—Input of extra funds through channels other than regular budget allocations has allowed the introduction of projects of an innovative type which would not have been likely even if standard funding had been increased.

2. *Community Involvement.*—There has been a significant increase in community involvement due to title I—although in absolute terms participation by Indians is still minimal in many instances. Because of the need for a "write off" from CAP agencies, they were at least consulted on all local projects, and in several instances took part in the planning of the program. There seems to be a trend toward contracting projects (particularly personnel contracts) out to tribal groups to circumvent civil service and other governmental red tape.

3. *In-Service Training.*—Prior to title I, little in-service training existed on any level. Since title I, almost all staff has participated in some form of training funded through title I. Introduction of new techniques such as teaching English as a second language, behavior modification, micro-teaching, and so forth, has provided a stir in a system which was generally isolated and stagnant. Most in-service training projects could be criticized for lack of adequate selection for participants, lack of follow-up, and so forth, but the fact of involvement of universities and private firms in training has been a rejuvenating force. Unfortunately, in local schools the training for title I staff, particularly in teacher aides, has been ignored or has been of poor quality.

4. *Provision of Teacher Aide.*—Perhaps the most popular outcome of title I has been the input of paraprofessionals in the classroom. Most aides are Indian. This has served to bridge cultural gaps between teacher and child as well as school and community. These jobs have provided employment and upward mobility for many Indians. Unfortunately many aides are still in functionally "dead end" positions. Many teacher aides are involved in inappropriate tasks. Aides should not be used simply as janitors, dishwashers, or clerks—nor should they be given full classroom responsibility.

5. *Broadening of Services.*—Boarding schools, by necessity must assume greater responsibility for the leisure time of their students. These needs have been frequently neglected by the BIA. Title I has provided an input of funds for the vital needs of students for leisure time activities and for more and better dorm staff, for guidance and counselings. Students have seen the after-school arts and crafts program and recreational activities as one of the most important contributions of title I.

2. BIA KINDERGARTEN PROGRAM—A CASE STUDY

"Kindergartens are over a hundred years old as a proved educational practice," Dr. Leon Osview points out in his consultant report. "It took a new Assistant Commissioner determined to get the practice installed to break through the barriers. And even so, his success in doing so has been less than total. Had it not been that Headstart experience proved so successful in creating the demand among Indians themselves, there might still be no kindergartens."

The Bureau of Indian Affairs implemented a kindergarten program in response to a mandate by President Johnson on March 6, 1968. According to a BIA progress report on the kindergarten program, February 24, 1969:

> Approximately 717 children are enrolled in 34 kindergarten classes supported by regular BIA budget, at an average cost of $24,000. This provides for a teacher, an instructional aide, instructional equipment and supplies, food and transportation costs. An additional 105 5-year-old children in nine groups are enrolled in classes through title I funds.
>
> The above kindergarten programs are planned on a comprehensive child development basis, with provision for health and social services, parent and community involvement—including concerned tribal groups, related public programs such as Headstart and Follow Through.

The BIA kindergarten program is a conscious attempt to carry out the President's "new policy" mandate of an exemplary program with maximum Indian participation and control. Its stated program objectives include:

1. Strong involvement of parents and Indian community.
2. Providing continuity with his previous experience, using individual and cultural strengths of the child.
3. Optimal physical, psychological, and cognitive development of each child.

The subcommittee has found serious inadequacies in the program and the accomplishment of these objectives.

The first objective, strong involvement of parents and the Indian community, went almost completely unaccomplished. In a survey of 27 kindergarten classes by BIA early childhood education specialists, only one class was rated excellent in parent involvement. Nine were rated poor, and in 17 classes there was no parent involvement. Regarding community involvement, one was rated excellent, three were fair, one was poor, and 22 registered no community involvement at all.

At the national level the kindergarten training program had been contracted to an outside agency. An Indian resource group was set up to participate in the planning and execution of the training program. Their criticisms and suggestions about the kindergarten program were not seriously considered by the contractors or the BIA, and many of the personnel the Indians admired and identified with were dismissed. According to the Indian Resource Group spokesmen, they were not consulted on the 1969 contract negotiations until plans were already written and approved, although they had specifically requested the opportunity to participate from the start.

The second BIA objective, like the first, also has gone largely unaccomplished: Providing continuity with the child's previous experience, using individual and cultural strengths of the child. The summary of site visits reports that out of 27 kindergarten classes, only five had developed a strong bicultural approach—14 had none, and four were very poor, one was poor, and three were fair.

According to one member of the training staff and team leader on one of the reservations, "Many of the students were reprimanded for speaking their native language in the classroom." Perhaps the most outrageous violation of the bicultural approach was the fact that some 5-year-old children were separated from their parents and placed in BIA dormitory facilities. This practice is completely contrary to BIA policy. The subcommittee has not been able to ascertain the extent to which this was done, but several instances have been cited. In her report from the Shonto school on the Navajo reservation, Mariana Jessen reported that "17 children, 4-to-5-year-olds, were in the group, all housed in the dormitory together with . . . [the] . . . other children. This gross violation of BIA policy was questioned." (It should be noted that BIA transferred the kindergarten at Shonto to a second location, because of the administrative deficiencies).

The third objective, providing comprehensive child development services, was a major failure. According to the BIA summary survey, the quality of food service was poor at 16 kindergarten programs and fair at eight others. No food service was reported at one location. Regarding health services, 10 programs had none, 16 were rated poor, and only one program was rated fair. Remedial services and social services were rarely available. Only two schools had remedial services, and they were both rated poor. Only seven programs offered social services, and they were all rated poor.

There was a significant lack of equipment and materials. A survey in December 1968 found that "all classes but one surveyed had no outdoor equipment or supplies, and the one was "poor." Meanwhile, inside supplies ranged generally from "very poor borrowed" to "poor improvised," with only a few passable.

Recruitment.—Attempting to avoid the inadequacies of the recruiting office in Albuquerque, recruitment was conducted by the BIA central office in Washington, D.C. However, lack of well-specified and appropriate criteria and a good recruitment strategy resulted in well-qualified people being excluded and many talented persons not even contacted. Only 3.7 percent were Indians, and there seems to have been no organized Indian involvement in recruiting trainees.

Many teachers were unsuitable for working with young children. Most of those recruited were not liberal arts graduates, as planned. Six of the 34 teachers were over 50 years old, the range being from 23 to 69. Six did not have degrees, three had M.A.'s, most had B.A.'s in education. At least five of the 34 kindergarten teachers never received any training at all.

Dr. Mary Lane, director of the 1968 training program, questioned BIA's assumption that qualified people were not available. She reported to the subcommittee staff the availability of young, eager, and creative people interested in working in the program, in addition to interested persons with strong backgrounds in early childhood education. It had apparently been decided to recruit liberal arts graduates to teach in the kindergarten classes since it was assumed that individuals with early childhood education would be difficult to recruit. No concerted effort to find early childhood education personnel at major training centers was made. Fifteen students from Lane's department at San Francisco State had applied, but only one had received even an acknowledgement of application.

The recruitment program apparently also suffered from disorganization which (combined with poor timing) led to positions not being filled, positions being filled on a crash basis at the last minute, and many serious breakdowns in communications. The effect was to seriously jeopardize the implementation of the elaborate 6-week training session. At the start of the training program, less than one-half of needed trainees were present.

Also, there was a great deal of confusion about who was to be at the training sessions at Dilcon Boarding School and why they were to be there:

> Many of those who came to Dilcon who were not kindergarten teachers had little or no interpretation as to why they had been sent. A few were informed only by the clerk that they were to come. A great many had had only a few days' notice and inadequate briefing. Consequently, many came with a negative attitude. Since the number of kindergartens was cut from 70 to 35, the individuals for whom the training had been specifically designed were in a minority. The remainder of the trainees were Johnson-O'Malley teachers from kindergarten through third grade, instructional aides, dormitory aides, special personnel. The majority of these individuals were vague about their reason for being in the program and many had made other summer plans which were reluctantly canceled so they could come to Dilcon.

Some key people simply did not arrive at all:

> The 20 ancillary services personnel who were included in the proposal to be trained did not materialize as did not the eight early childhood education supervisors.
>
> The 55 elementary school principals who were included in the proposal to come in the last 2 weeks dwindled to a very few—perhaps 12 or 15. Only three or four were there at the beginning of their period of training and after a hurried call went out to them, several came or sent substitutes who were unclear about why they had received "an urgent call to get over to Dilcon."

It follows that the failure of the recruitment program seriously affected the success of the training program (and the kindergarten program). The failure is particularly discouraging in light of the large investment devoted to the training project for the teachers and aides in summer 1968. In fiscal year 1968, $332,986 of title I funds were directed to the planning and implementation of the training program. In fiscal year 1969, $278,633 title I monies were used for the program. This massive injection of training money was supposed to be a substitute for competent, well-qualified teachers. This was an unreasonably expensive and highly dubious procedure, according to Dr. Lane and the independent evaluators of the program. In short, the program was severely crippled before it got off the ground.

It is estimated that at least one-third and possibly as high as 50 percent of the teachers are not continuing with the program the second year. At the same time, there is no procedure for training of replacements, in a program where training is deemed so important by the administrators. Although many teachers attempted to proceed by plan, some teachers did not follow the training program philosophy or procedure when they got to their respective schools. It was often found that few of the concepts stressed in the workshop carried over into classroom operations, sometimes due to interference by local school administrators.

Although BIA's prime objectives regarding the kindergarten program were not fulfilled, the actual effectiveness of the program is difficult to determine, due to inadequate evaluation. The BIA invested upward of $1,460,000 (regular funds plus $611,619 in title I funds) in this program. Yet there were no provisions for pretesting or post testing of participants, or any other means of collecting hard data at the school level. None of the classrooms even had a plan for regular program review. In addition, there was little effective supervision of kindergarten programs by BIA administration.

A further deficiency of the kindergarten program was blatant mismanagement of financial resources. Congress had appropriated $25,000 for each of the 34 kindergarten programs. Unfortunately, much of the money did not reach the children or the teachers at all. "Creaming" of the funds had taken place at many levels.

According to Dr. Mary B. Lane, in a hand count at the Albuquerque followup training session, more than half of the kindergartens had received little or nothing of these directed funds beyond the salaries of teachers and aides. Instead, it appeared the money went to general education funds in the school or was siphoned off by the agency or area offices and not even used in the education budget. Even at the local level, the remaining funds available were often very poorly used. One serious consequence was the severe lack of equipment and needed materials.

Mismanagement of personnel resources was a third factor behind the program's failure. Kindergarten aides—Indians who speak the language of the children and are considered trained to be assistant teachers essential to the program were often used in low-level noninstructional roles, in some cases for several weeks at a time, to wash school lunch dishes, drive the school bus, do dorm duty, watch older children on the playground, substitute in other classes, substitute on field trips, or work in the office as clerk-secretaries. Other duties included in various schools heavy janitorial work, work as handymen and cooking. In one case, according to the Indian resource group, an aide working in an office was put in the classroom only when M. Jessen arrived for evaluation. Is this the "career ladder concept for teacher aides" BIA talks about in its progress report?

It was obviously impossible for these Indian aides "to not only help the teacher" but also to act "as a parent substitute to the children during their new experience away from home." In addition, many of the ways in which teacher aides were used were demeaning and resulted in hostility and disillusionment. An added discouragement was the breaking of the agreement to employ Indian aides during the summer.

Recognizing the problems and mistakes with which any new program is confronted, it is still difficult to believe the kindergarten program will ever be successful while administered by BIA. A major obstacle to change is the inability of the BIA to accept constructive criticism or suggestions. For example:

1. Dr. Mary Lane, 1968 Training Program Director, Kindergarten Program, was not rehired because of her disagreements with BIA policy.
2. Many 1968 training staff members were not rehired for the 1969 program. Some believe it was because they were not in accord with BIA attitudes.
3. At the training program, an attempt was made to build Indian dignity, involve Indians in decisionmaking, and attempt to learn from them. "When they got in their schools," writes a staff member to the subcommittee, "some of them were told in effect, that 'those days are over; you are to speak no criticism of BIA or the school personnel if you wish to keep your job.' "
4. Teachers and aides during the school year were prohibited from corresponding with the training staff members, unless the letter was signed by the principal. In one case, apparently, a principal was reprimanded for signing the teacher's statement because it cited too many problems.
5. There was an incident of a teacher having her personal mail opened by her principal as a form of censorship.
6. Many teachers were put "on report" (two "on reports" mean automatic dismissal) for stating problems to a staff member.

The BIA has thus failed badly on all three objectives which they set for themselves and demonstrated some incredibly poor management in the process. Boarding 5-year-old children and "creaming funds" is outright malfeasance. There is little reason to believe that the program will be much improved in its second year. Under these circumstances, it would make more sense for the money to be used to strengthen present programs rather than add low quality new ones. Early childhood education is important, but Headstart under tribal control would appear to be a far superior approach.

F. Summary of Federal School Findings

I. *Education Budget*

The education budget of the Bureau of Indian Affairs is grossly inadequate to provide an equal educationl opportunity for its Indian students.

A. The BIA presently expends about $1,100 per student per year in a Federal boarding school. This compares very unfavorably with other residential programs. Schools for the physically handicapped often expend $3,000 or more per student. Boarding schools in the East often expend $4,000 or more per student.

B. When inflationary factors are taken into account, the BIA budget decreased from 1958 to 1966 and has only slightly increased since then. The BIA estimates that a $158 million increase over its present budget level will be necessary to achieve minimum standards.

C. In fiscal year 1969 the BIA applied severe restrictions to educational expenditures, and still ended the year $5 million in the red. This has necessitated many cut-backs in the fiscal 1970 program, including not purchasing needed textbooks and supplies. The BIA presently spends only $18 per child on textbooks and supplies, compared with a national average of $40.

D. The BIA operates many inferior school facilities and some that have actually been condemned. They estimate the money needed to bring their facilities up to minimum standards at more than $178 million. As a result of a lack of high school facilities in Alaska, over 1,200 Alaskan natives are sent to boarding schools in Oregon and Oklahoma.

E. Thousands of Navajo children are in damaging elementary boarding schools on the Navajo reservation because of inadequate appropriations for roads and day schools.

F. The BIA suffers from gross deficiencies in both quantity and quality of personnel. For example, there is only one psychologist for the 226 Federal schools and the ratio of dormitory aides to Indian children often exceeds 1 to 100. There should be at least a five-fold increase in expenditures on dormitory personnel.

II. *Academic Performance*

The academic performance of Indian students in Federal schools is seriously deficient.

A. Forty percent of the students dropout before graduation.

B. Students graduating from Federal schools are on the average more than 2 years below national norms on achievement tests. Many students graduate with little better than a 9th-grade level of proficiency.

C. Only 28 percent of the students go on to college compared with a national average of 50 percent.

D. Only one out of four of the students who enroll in college graduate.

E. Only one of 100 Indian college graduates will receive a master's degree.

F. In summary: In an average class of 400 students entering a BIA high school, only 240 will graduate. Of those 240, 67 can be expected to enroll in college. Of these 67, only 19 will graduate from college. The chances are 99 out of 100 that the college graduate will never get a master's degree.

III. *Goals and Operational Philosophy*

Teachers and administrators in Federal Indian schools still see their role as one of "civilizing the native."

A. The teachers and administrators stress citizenship and socialization and set educational goals *far* below those set by the student.

B. School personnel believe in a quite obsolete form of occupational preparation, for which the students show little enthusiasm.

C. School personnel believe that Indians must choose between being an Indian and living in poverty on the Reservation, or complete assimilation into the dominant society.

D. The goal of BIA education is to direct students toward urban life, while at the same time it fails to prepare him academically, socially, psychologically, or vocationally for urban life.

E. There is almost total neglect of reservation life and problems in the Federal schools.

IV. *Quality of Instruction*

The quality and effectiveness of instruction in BIA schools is very unsatisfactory.

A. The primary cause of low achievement of Indian students is the inadequacy of instruction. A large proportion of the teachers in BIA schools lack the necessary training to teach disadvantaged Indian students effectively.

B. The curriculum used in BIA schools is generally inappropriate to the experience and needs of the students. The schools fail to deal effectively with the language problems of the students, there is little understanding of cultural differences, and the vocational training is archaic and bears little relationship to existing job markets.

C. Teachers often blame their own failures on the students.

V. *Guidance and Counseling*

There are extremely serious deficiencies in the guidance and counseling programs in BIA schools.

A. The present ratio of guidance counselors to students is 1 : 600. It should be 1 : 250. Many of the counselors lack professional training and certification; career and occupational counseling is rarely offered and psychological counseling is practically nonexistent.

B. The present ratio of dormitory aides to students is well over 1 : 100. The ratio should be 1 : 25 or less. In elementary boarding schools, it should be 1 : 15. Dormitory personnel are very poorly trained and are often of low quality. Yet they have the very important responsibility of being surrogate parents to the children, an impossible task under present circumstances. There is also a serious lack of coordination between the dormitory staff and the instructional staff.

VI. *Discipline—Student Life*

The environment of BIA schools is sterile, impersonal, and rigid, with a major emphasis on discipline and punishment which is deeply resented by the students.

A. There is a serious lack of social and recreational activities in BIA schools. Student activities are closely regulated and little interaction between the sexes is allowed. Weekends are noted for their boredom. Some students resort to drinking and glue-sniffing to relieve the boredom.

B. Students have little privacy, are locked into rigid schedules, and are placed under an oppressive number of rules and regulations.

C. Most dormitories resemble Army barracks and some actually are. Furnishings consist of double-decker beds, in closely spaced rows, with steel lockers lining the walls.

D. From the standpoint of social, emotional, cultural, and intellectual environment, BIA schools must be rated grossly inadequate.

VII. *Parental Participation and Community Control*

Indian parents and communities have practically no control over the BIA schools educating their children. The white man's school often *sits in a compound completely alien to the community it supposedly serves. It does not serve as a community resource nor does it recognize community needs or desires.*

A. Despite a Presidential directive more than 2 years ago, only one of the 226 BIA schools is governed by an elected school board.

B. Parents visit BIA schools only on rare occasions and usually feel unwelcome. Parental visitation is actively discouraged in a number of schools.

C. Teachers and administrators of BIA schools rarely visit Indian parents in their homes. In many schools, this is actively discouraged as "going native."

D. A result of the lack of control over the schools by Indians is that the instruction offered is inconsistent with the desires of the community. The school is alien to the community and the community is alien to the school.

E. Despite a Presidential directive 2 years ago, BIA schools are seldom used as a community resource or even for adult education.

VIII. *Organization and Administration*

The present organization and administration of the BIA school system could hardly be worse.

A. Operationally, education is far from being BIA's highest priority, despite the fact that it expends more than 50% of the BIA budget. Land management appears to be the dominant concern and background of most administrators in the BIA hierarchy. Thus, noneducators make most of the important policy decision regarding the education program. Funds slated for education frequently are siphoned into other areas.

B. There is a tremendous lack of reliable data about the BIA education program. There is no attempt made to relate educational expenditures to educational results; nor are there well-specified educational goals, objectives, or standards.

C. The BIA schools are organized as if the municipal water commissioner controlled a city's textbook budget, and the parks commissioner controlled the school's facilities, equipment, and personnel acquisitions, with the city school superintendent only an adviser to the mayor, yet responsible for the effective operations of the schools.

D. The present structure of BIA education not only serves to reward unaggressive behavior and docility but punishes, usually by transfer, those who persist in behaving like educational leaders.

E. It is impossible to conceive of change and improvement without a radical reorganization of the BIA school system.

IX. *Personnel System*

The BIA personnel system has grave deficiencies which have contributed very substantially to all of the inadequacies already cited.

A. Turnover rates are much too high and it is usually the most ambitious and promising teachers who leave the system first.

B. The centralized recruitment system is extremely cumbersome and ineffective and controlled by noneducators.

C. It is practically impossible to reward outstanding teachers and to fire incompetents.

D. The Civil Service System has made it impossible for Indian communities to have any control over teacher selection and training.

Parents are powerless to do anything about teachers that are incompetent, abuse their children, or denigrate their culture. Indian communities consider this to be the most critical aspect of their desired involvement in the schools.

E. BIA personnel from administrators to dormitory staff, frequently neglect their responsibilities and take no individual initiative, either from frustration or cynicism. A few dedicated individuals continue to exert themselves, in the hope that some Indian children will benefit by their efforts.

X. *Elementary Boarding Schools*

Over 7,000 Navajo children ages 9 and under are placed in elementary boarding schools which are emotionally and culturally destructive for both the children and their families.

A. There is almost universal agreement that early separation of a child from his family is a destructive influence. The experience is even more traumatic when the child comes from a different culture and extended family background.

B. At best these schools are totally unsatisfactory as a substitute for parents and family. At worst they are cruel and barbaric. One school has been reported where children are beaten, pervasive attacks are made against their cultural beliefs, and teachers advocate the free labor of Navajo girls in their homes, doing laundry, scrubbing floors, etc., to teach them the American way of housekeeping.

C. The children rarely get to see their parents. There are no facilities for parents at the school and they are discouraged from visiting the children because it will "upset the child." Parents are allowed to "check out" their children only if the child has not tried to run away. It appears that one person in each school is assigned the responsibility of recapturing the AWOL's. Hundreds of children run away from the school. During the winter, some children freeze to death trying to get home. For the first 6–8 weeks of the school year, children are terribly unhappy and upset, and often cry themselves to sleep at night. Because of a lack of space, children often sleep two to a bed and at night there is one dormitory aide to 150 children.

D. The BIA states that the primary reason for the schools is a lack of roads on the Reservation. More than two-thirds of the children live 25 miles or less from the school they attend. The BIA has never integrated its school and road construction planning. Large elementary boarding schools are still being constructed on the Reservation.

E. Boarding schools have had a direct effect on the increasing social disorganization on the Reservation. Alarming numbers of young adults who have attended these schools have lapsed into an alienated, apathetic life marked by episodes of delinquency and irresponsibility. Drunkenness, child neglect, drunken driving, high accident rates, and an increasing suicide rate are characteristics of the first generation of Navajos who attended these schools.

XI. *Off Reservation Boarding Schools*

Most of the 19 off-reservation boarding schools have become "dumping ground" schools for Indian students with serious social and emotional problems. These problems are not understood by the school personnel, and instead of diagnosis and therapy, the schools act as custodial institutions at best, and repressive, penal institutions at worst.

A. Although the student population of off-reservation boarding schools has changed dramatically in the last 12 years, no corresponding change has taken place in their staffing, goals, or curriculum.

B. A number of students have been ordered to attend one of these schools as a substitute for a reformatory. Approximately 25 percent of the students are referred because they are dropouts or pushouts from public schools.

C. Special programs and vocational education have been phased out in most of the schools, and they masquerade as strictly academic institutions, preparing students for college. In fact, mental health problems have reached crisis proportions in many of the schools. The interaction between students and professional staff has been described by consultants as malignant and destructive.

D. In summary, the schools do not rehabilitate, are not designed as therapeutic agents, and in fact they often do more harm than good. As one consultant to the subcommittee stated: "They are a tragedy."

XII. *Adult Education*

The BIA has made only token attempts to deal with the need for adult education on Indian reservations.

A. There are approximately 75,000 Indian adults who have not completed a fifth grade education. There are thousands more who have completed five or more grades, but cannot read or write English at a fifth grade level. This constitutes a functional illiteracy problem of massive proportions—more than four times the national average.

B. Less than one-fifth of the adult Indian population has completed high school or its equivalent.

C. Functional illiteracy and a lack of high school graduates on Indian reservations are a major cause of severe poverty, a 50-percent unemployment rate, adverse health and housing conditions, and the failure of Indian children in school.

D. The adult education program in the BIA is barely scratching the surface of the problem. In 1968 only 2,165 Indians were studying in basic literacy classes, and 1,353 were working toward a high school equivalency certificate.

PART II: A NATIONAL CHALLENGE—SUBCOMMITTEE RECOMMENDATIONS

I. POLICY AND GOALS

A. National Policy

The development of effective educational programs for Indian children must become a high priority objective of the Federal Government. Although direct Federal action can most readily take place in the federally-operated schools, special efforts should be made to encourage and assist the public schools in improving the quality of their programs for Indian children. The U.S. Office of Education should make much greater use of its resources and professional leadership to bring about improvement in public school education of Indian children.

The costs of improving the education of Indian children are bound to be high. In fact, a truly effective program probably will require doubling or even tripling the per pupil costs. But, the high educational costs will be more than offset by the reduction in unemployment and welfare rates and the increases in personal incomes certain to follow as a result of effective educational programs.

One of the crucial problems in the education of Indian children is the general relationship between white society and Indian communities. This relationship frequently alienates Indians and Indian communities, dampening both their potential for full self-development and their opportunities for gaining experience to control their own affairs through participation in effective local government.

It is essential to involve Indian parents in the education of their children and to give them an important voice—both at the national and local levels—in setting policy for those schools in which Indian children predominate. Whenever Indian tribes express the desire, assistance and training should be provided to permit them to operate their own schools under contract. A precedent and one model for this approach already exists at the Rough Rock Demonstration School in Chinle, Arizona.

The curriculum in both Federal and public schools serving Indian children should include substantial information about Indian culture and history and factual material about contemporary Indian life. This is important for both Indian and non-Indian children if they are to gain a better perspective and understanding of Indian heritage and current circumstances.

The complexity of the problems associated with cross-cultural education merit substantial research and development and the continuing adoption of promising innovations as they are discovered or developed. The present assumptions underlying the conventional approach of both Federal and public schools have not been valid, and a systematic search for more realistic approaches is clearly in order.

The most important step that can be taken as a matter of national policy and priority is to convert Federal schools in different regions of the country into exemplary institutions which can serve as a resource base and a leadership source for improving Indian education in public schools. They should provide models of excellence in several areas. First, in terms of developing outstanding bicultural, bilingual programs. Second, in terms of the development and utilization of the most effective techniques for educating the disadvantaged student. Third, they should be staffed and operated as therapeutic institutions capable of maximizing the personality development of the Indian child as well as assisting him in resolving his emotional and behavioral problems.

In summary, the Federal Government must commit itself to a national policy of educational excellence for Indian children, maximum participation and control by Indian adults and communities, and the development of new legislation and substantial increases in appropriations to achieve these goals.

1. The subcommittee recommends—

That there be set a national policy committing the nation to achieving educational excellence for American Indians; to maximum participation and control by Indians in establishing Indian education programs; and to assuring sufficient Federal funds to carry these programs forward.

B. National Goals

The ultimate criteria of the success of the new policy, and the ones by which the Federal Government should gauge the adequacy of its efforts, are the availability of high-quality programs for all Indian children and their actual achievement in these programs. The Federal Government should set specific, measurable goals for rapid attainment of equal educational opportunity for Indian children. The size and scope of the effort needed could be compared with the "Marshall Plan" which brought about the socioeconomic rehabilitation of Europe following the destruction of World War II. Certainly the United States has as great a moral and legal commitment to its Indian citizens as it did to its European allies and adversaries.

2. The subcommittee recommends—

That the United States set as a national goal the achievement of the following specific objectives:

Maximum Indian participation in the development of exemplary educational programs for (a) Federal Indian schools; (b) public schools with Indian populations; and (c) model schools to meet both social and educational goals;

Excellent summer school programs for all Indian children;

Full-year preschool programs for all Indian children between the ages of 3 and 5;

Elimination of adult illiteracy in Indian communities;

Adult high school equivalency programs for all Indian adults;

Parity of dropout rates and achievement levels of Indian high school students with national norms;

Parity of college entrance and graduation of Indian students with the national average;

Readily accessible community colleges;

Early childhood services embracing the spectrum of need;

Bilingual, bicultural special educational assistance;

Effective prevention and treatment procedures for alcoholism and narcotic addiction;

Expanded work-study and cooperative education programs;

Workable student financial assistance programs at all educational levels; and

Vocational and technical training related accurately to employment opportunities.

3. *The subcommittee further recommends—*

That national goals be set for health, housing, and employment needs of American Indians.

C. General Recommendations

4. *The subcommittee recommends—*

That the Congress authorize a White House Conference on American Indian Affairs and appropriate the funds necessary for its planning and implementation.

The subcommittee has found that one of the primary reasons for the failure of national policy and programs for American Indians has been the exclusion—or only token involvement—of Indians in determining policy or planning of programs. A White House Conference on American Indian Affairs would be a dramatic reversal of this unyielding practice. Such a White House Conference could provide for broad scale participation of Indians in extensive deliberations at the tribal, local, and regional levels, in preparation for the National Conference. The report of the Conference, with detailed policy, legislative, and program recommendations, could serve as the blueprint for reform and change over the next generation. As an indication of the widespread support in the Indian community for this approach, the National Congress of American Indians has strongly endorsed the need and desirability of such a conference in its 1968 and 1969 annual conventions.

An authorization for a White House Conference should contain provisions for adequate funding to permit large numbers of Indians to participate at all levels in the planning and conduct of the Conference. In addition, it should provide the means for substantial technical assistance so that the Conference can address all of the complex and difficult problems facing American Indians. This would include thorough evaluations of present Federal programs and their deficiencies. Finally, the authorization should provide a clear mandate for the steps to be taken for implementation and followup of the Conference recommendations. The Conference should be planned and carried out largely by American Indians, not Government officials. The National Council on Indian Opportunity could play an important role in providing technical support and a secretariat for the Conference and assuming the primary responsibility for seeing that the recommendations are implemented.

The subcommittee feels that there is one issue of major importance which deserves special attention and analysis in the Conference proceedings—the organization and location of the Bureau of Indian Affairs. Numerous witnesses and consultants have informed the subcommittee that the present organization and location of the Bureau of Indian Affairs is unsatisfactory, and seriously impedes the development of Indian physical and human resources. The subcommittee believes that if basic problems of policy and program failure are to be overcome, the Bureau of Indian Affairs must be transformed into a technical assistance agency which will assist Indian tribes and communities to develop and operate their own programs and services. How this can best be done without in any way infringing upon the Indians' special relationship with the Federal Government should be a matter of high priority to be resolved by the White House Conference on Indian Affairs; in effect, by the Indians themselves. We have previously had White House conferences on matters of high national concerns. These have included conferences on civil rights and on natural beauty. In December, there will be one on hunger and nutrition. In 1970, there will be one on aging. It is time for one on American Indians.

The National Council on Indian Opportunity is the logical agency to coordinate and support the proposed White House Conference on American Indian Affairs. It is charged through Presidential Executive Order 11399 with responsibility to coordinate, appraise, and innovate in the area of Indian programs. The Council is chaired by the Vice President and consists of seven Cabinet officers having responsibility in the field of Indian affairs. Also, there are six Indians on the Council who, for the first time, sit at a high policy program formulation level.

5. *The subcommittee recommends—*

That there be established in the U.S. Senate a Select Committee on the Human Needs of the American Indian.

The subcommittee has found that the Federal Government has failed to understand sufficiently and to effectively delineate the extent and severity of the problems confronting the American Indian. In addition, the Federal Government has failed to adequately understand the human needs and aspirations of the American Indian. The result has been a major failure of national policy.

The 1960's have witnessed a growing recognition of this failure, and the emergence of many new Federal programs to provide assistance. New legislation such as the Economic Opportunity Act, the Elementary and Secondary Education Act, the Manpower Development and Training Act, the Economic Development Act, and new legislation in the field of housing, have spread the responsibility for Indian affairs across the executive branch of the Federal Government. The Library of Congress has recently compiled a list of 86 different statutes which have specific provisions under which Indians and Indian tribes can receive Federal assistance. This proliferation of programs has led to confusion, overlapping responsibilities, programs working at cross-purposes, a general lack of coordination between agencies, and a complete lack of a unified policy. In recognition of this fact, President Johnson established by Executive order a National Council on Indian Opportunity, which included as members the Cabinet officers from the seven major departments with explicit responsibilities in the field of Indian affairs. No corresponding action has been taken by Congress.

The need for unified policy formulation and legislative oversight is apparent. A Select Committee on the Human Needs of the American Indian would be the best means for meeting this need. The executive director of the National Congress of American Indians has testified in support of such a committee and the executive council of NCAI has strongly recommended its early establishment. Other organizations of American Indians have expressed similar support.

One problem in evaluating the success of Federal programs for the American Indian is the extraordinary inadequacy of the statistical data presently available. Mr. Stephen A. Langone, Library of Congress Indian Affairs Specialist, has recently prepared a paper for the Joint Economic Committee, which points out that despite the fact that the Federal Government is presently expending in aggregate more than $500 million per year in its multiplicity of Indian programs, "It is literally impossible to obtain up-to-date and accurate information on such basic questions as employment and unemployment, average educational attainment, income, land ownership, reservation population * * *" and so forth. Congress has had to rely on statistics "that are in many cases 5, 10, 20, or more years old, and often incomplete and inaccurate." This constitutes a totally inadequate base for effective legislative action. The most damaging consequences of this lack of reliable information are vividly demonstrated in the termination legislation of the 1950's. Time after time, the Bureau of Indians Affairs provided an inadequate and often inaccurate socioeconomic profile of an Indian tribe which served as the basis for termination. The results were disastrous.

The lack of reliable data also means that Congress cannot carry out its legislative oversight function. As Mr. Langone states "* * * there is no sound basis for comparison to determine the increase or decrease of given problems or indeed the improvement or lack of improvement in the economy of Indian tribes." Without data, problems cannot be adequately understood or delineated and consequently are neglected. For example, this subcommittee has found a serious lack of information in the area of mental health and the American Indian, yet we have been told by many witnesses that this should be a top priority of Federal concern. This subcommittee has brought to light data on Indian suicides and alcoholism which are extremely alarming. Yet no one begins to know the extent or full ramifications of the problem.

Moneys cannot be appropriated wisely nor can effective and responsible legislation be developed, without a unified and comprehensive information base.

The Senate Select Committee on Nutrition and Human Needs has made a major contribution in bringing to light the extent and severity of hunger and malnutrition in this country. It has as well pointed up the deficiencies in the Federal programs aimed at the alleviation of the problem. Its work and accomplishments are excellent precedents for the establishment of a Select Committee on the Human Needs of the American Indian.

This subcommittee has worked for 2 years on the problem of education of American Indians. We have developed much new information and discovered many previously unknown facts. We know full well how extensive the work remaining is. We do not envision a select committee as a permanent Senate committee; rather, we would see it as a congressional complement to the White House Conference. Its life need not be longer than 2 years, and its membership could be drawn from the standing committees with principal jurisdiction. Its work could help redirect the course of this Nation's American Indian policies.

6. *The subcommittee recommends*—

> **That there be presented to the Congress a comprehensive Indian education act to meet the special education needs of Indians both in the Federal schools and in the public schools.**

The subcommittee feels that a proliferation of set-asides for BIA schools in Federal education statutes, such as ESEA, is an unsatisfactory means of bringing to Indian youngsters the advantages of the wide variety of programs set forth in Federal law. A direct route from the Federal agency immediately concerned should be followed rather than the cumbersome means of having one Federal agency, the Office of Education, transfer part of its appropriations for Federal grant-in-aid programs to another Federal agency, the Bureau of Indian Affairs, and in the process decrease the amount of such funds available to the States and communities.

As for the Johnson-O'Malley Act, which provides for Indian children in the public schools, this law was last changed in 1936. It is due for substantial revision. No other education statute has gone more than 30 years without some modernization to meet changing conditions. The Elementary and Secondary Education Act, for example, was first enacted in 1965 and was substantially revised in 1966 and 1967. Again this year, it is the subject of additional substantial revision. In addition, the fact that administrative revisions recommended for JOM over the years have never been adequately effectuated points up the need for change by legislative means; trying the alternative administrative route has consistently proven ineffective.

The comprehensive Indian Education Act which the subcommittee contemplates would join in a single coordinated statute all Indian education programs, including those provided for set-aside provisions in general education grant-in-aid programs, public school programs (except Public Law 874), and BIA programs. Such a statute would be generally parallel to the array of other Federal education laws and would have, for example, titles devoted to adult education, to exemplary and model programs, to research, to library resources, to the handicapped, and so forth, as well as a title or titles dealing with areas unique to the education of Indians, such as Indian culture and biculturism. The set-aside programs referred to heretofore would expire when the new Indian Education Act went into effect.

The subcommittee contemplates that the comprehensive statute recommended here would include those applicable provisions which have also been recommended by this report for inclusion in the Johnson-O'Malley Act, such as submission of plans, need for accountability and evaluation procedures, involvement of Indians, contract authority with tribes and communities, etc.

Just as the various titles of the Elementary and Secondary Education Act have their own advisory groups composed of persons expert in the discipline covered, as well as community representatives, so should the applicable titles of the Indian Education Act have advisory bodies. Such a procedure would help advance the subcommittee's concept that Indians must play a significant role in the education of their children.

7. The subcommittee recommends—

> **That the funds available for the education of American Indians be substantially increased, and that provision be made for advance funding of BIA education programs to permit effective planning and recruitment of personnel.**

The subcommittee has found that BIA presently expends about $1,100 per student per year in a Federal boarding school. A number of witnesses testifying before the subcommittee have suggested that this amount must be doubled or tripled if an equal educational opportunity is to be provided the students in these schools. Dr. Carl Marburger, who is presently commissioner of education for the State of New Jersey (formerly the Assistant Commissioner for Education in the BIA) has pointed out that comparable programs for physically handicapped children have a yearly per-pupil cost of approximately $3,000. The yearly cost for students in boarding schools on the east coast is between $3,800 and $4,200.

In fiscal year 1969, the BIA applied severe restrictions to educational expenditures. Yet it ended the year having to spend $5 million more than it was appropriated. This has necessitated many cutbacks in the fiscal 1970 program, including not purchasing needed textbooks and supplies. The BIA presently spends only $18 per child on textbooks and supplies, compared with a national average of $40.

The BIA operates many inferior school facilities and some that have actually been condemned. As a result of a lack of high school facilities in Alaska, over 1,200 Alaskan natives are sent to boarding schools in Oregon and Oklahoma. Thousands of Navajo children are in damaging elementary boarding schools on the Navajo Reservation because of inadequate appropriations for roads and day schools.

The education budget of the BIA is grossly inadequate. Until this most basic problem can be overcome, little progress toward educational excellence can be anticipated.

8. The subcommittee recommends—

(a) That the Division of Indian Health conduct nutritional surveys of Indian and Alaskan native groups to identify the nature, extent, and location of nutritional problems in order to confirm program needs and establish priorities;

(b) That officials of the Bureau of Indian Affairs and Department of Agriculture involved with food programs affecting Indians work with Indian Health Division personnel in implementing recommendations evolving from the nutritional surveys;

(c) That a major effort be made to develop health education programs for elementary and secondary schools educating Indians. Such programs would seek to help Indians identify and diagnose nutrition problems and to encourage nutrition education.

(d) That the Senate Select Committee on Nutrition and Human Needs include as a specific part of its work an analysis of the effectiveness of Federal food programs in Indian schools and among Indian families.

(e) That the Bureau of Indian Affairs *not* reduce the school lunch program provided with Johnson-O'Malley funds unless it assures that every student who would receive a lunch under Johnson-O'Malley will receive a school lunch under some other program.

The subcommittee found severe problems of hunger and malnutrition among many of the Indians and Alaskan natives it visited. These problems result directly in poor Indian performance in the classroom.

Gross malnutrition, such as kwashiorkor, marasmus, and severe vitamin deficiencies, occurs in several Indian groups, particularly among Navajos and other Arizona tribes. Mild and moderate nutritional deficiencies are relatively common among Indians. The subcommittee heard testimony, for example, that between 1963 and 1967 the Indian hospital in Tuba City, Ariz. admitted 616 children with malnutrition, 587 for retarded growth, 15 with kwashiorkor, and 29 with marasmus.

Research has indicated that severe malnutrition has a definite effect upon the learning potential of children. In some cases, permanent brain damage is the result. Studies in several countries have shown that inadequate nutritional intakes during the first 3 years of life produces significant stunting of physical growth and irreversible stunting of mental growth and development. A large number of preschool Indian children face this possibility. Among the Navajos alone, for example, it is estimated that 12 percent of the infants hospitalized have anemia of the iron-deficiency type. It becomes essential, therefore, that malnutrition and other nutrition problems be eliminated if Indians are to escape from lifelong physical and mental impairments.

This means that more data on nutrition problems of specific Indian groups is needed in order to design programs and establish priorities. All agencies involved with Indian food programs must then work together to see that nutrition needs are met. School lunch programs and commodity food programs should be examined to make sure they are supplying particular tribes or communities with the foods needed to remedy nutritional deficiencies. Breakfast programs should be instituted in schools where there is a nutritional need, and free lunches should always be available to those Indian students who cannot afford to pay. The value of a good school lunch program was evident in Alaska, where in some schools this one meal provided more than 50 percent of a student's daily food intake.

A thorough program of education in nutrition which considers the food habits and cultural practices of Indian groups is essential. Many Indians lack knowledge of proper nutrition, how to store and preserve foods, or how to purchase foods wisely. The Division of Indian Health works in this area, but their programs need additional funds and staffing. More programs should be developed for Indian elementary and secondary students which would provide them with knowledge in these areas.

Almost 25 percent of Johnson-O'Malley expenditures are currently for school lunches for Indian students. The Bureau of Indian Affairs has indicated its interest in terminating this use of Johnson-O'Malley funds and having the Department of Agriculture take over this function. The Bureau's JOM lunch program should not be reduced unless assurances are made that Indian students who would receive lunches under JOM will receive them under some other program.

The subcommittee believes the work of the Senate Select Committee on Nutrition and Human Needs has special relevance to Indian nutrition problems, and that the committee's recommendations deserve careful attention.

9. The subcommittee recommends—

The Civil Rights Enforcement Office of the Department of Health, Education, and Welfare should investigate discrimination against Indians in schools receiving Federal funds. Furthermore, the Civil Rights Commission should investigate the general problem of discrimination against Indians.

The subcommittee found, and has included in its reports, numerous allegations of discrimination against Indians in public schools receiving Federal funds. The evidence indicates that there are possible violations of title VI of the Civil Rights Act. The Department of Health, Education, and Welfare, the Civil Rights Commission, and the Department of Justice, all have jurisdiction to investigate these instances, yet none is giving sufficient attention to them. They are urged to investigate such cases and act as appropriate.

The subcommittee also believes that the Civil Rights Commission should examine the application of the 1968 Indian Bill of Rights, and other matters relevant to its statutory authority relating to discrimination against Indians, at the earliest practicable time.

10. The subcommittee recommends—

That the Federal Government shall not terminate Federal responsibility and services in educational fields to any Indian tribe, band, group, or community, unless such termination is consented to by those Indians affected by such termination.

The subcommittee has found that the termination policy of the 1950's has continued to be an expression of the intent of Congress in the 1960's. The fear of termination has poisoned every aspect of Indian affairs, has undermined every meaningful attempt at organizational reform, and has been a major psychological barrier to Indian socioeconomic development. Termination bills are still introduced in Congress. Awards by the Indian Claims Commission are still used as a device to induce tribes to apply for termination. The subcommittee feels that the best corrective measure for this dilemma is to establish a procedure whereby no termination of responsibilities and services in educational fields will be carried out by the Federal Government unless consented to by those Indians affected.

11. The subcommittee recommends—

> **That a comprehensive attack upon alcoholism among Indians be begun at the earliest possible time, and that it include (a) coordinated medical, paramedical, educational, psychiatric, social, and rehabilitation services, both public and private, including non-medical and non-professional personnel as appropriate; (b) strong prevention programs, relying upon concerted public education efforts; and (c) concerted efforts to identify and deal with the causes of Indian alcoholism.**

Alcoholism is a pressing problem among American Indians today. Yet it has failed to attract the attention it deserves. Both Government agencies and Indians themselves have been reluctant to recognize the severity of the problem, and surprisingly few attempts have been made to collect the data necessary for adequate problem definition and analysis.

The consequences of our failure to act are many, and include the physical and social impairment of large numbers of Indian adults; the severe disorganization of many Indian families and communities; exceedingly high accident rates; alarming numbers of homicides, suicides, and assaults; the failure of Indian children in public schools; and the placement of large numbers of Indian children in boarding schools. The cost to the taxpayer of providing medical care, welfare, and police services to deal with the excessive drinking problem is obviously high. If alcoholism could even be partially alleviated, a significant amount of scarce public resources could be conserved for other pressing needs.

Alcoholism is, of course, not a problem for Indians alone. It is a major public and mental health problem for millions of Americans. We are, as a nation, learning more and more about effective prevention and treatment methods. What we do know, now, we should make available to American Indians.

The Division of Indian Health of the U.S. Public Health Service conducts a number of alcoholism prevention and treatment programs for Indians. The subcommittee was dismayed to discover that Johnson-O'Malley funds, to be used for educational and health services for Indians, are not being used for any alcoholism programs. Use of such funds should be part of an intensive effort to bring to bear all available resources to combat this problem.

12. The subcommittee recommends—

Full funding of the National Council on Indian Opportunity for fiscal year 1970, and for subsequent years.

The National Council on Indian Opportunity was created by Executive Order 11399 on March 6, 1968. The purpose of the Council as stated in the Executive order is to encourage full use of Federal programs as they relate to Indians, apprise the impact and progress of Federal programs for Indians, and suggest ways to improve such programs.

By including six Indians as members, the Council affords the Indian people, for the first time in the history of Federal-Indian affairs, an opportunity to sit at the highest administrative level and have a direct say in the formulation of policies and programs as they relate to Indians.

President Johnson and President Nixon both have given their strong support to the Council. The National Congress of American Indians, the largest Indian organization in the country, indicated its strong support for this program in a position paper adopted May 6, 1969, in Albuquerque, N. Mex. The NCAI commented that the creation of the Council was:

> * * * a milestone in the involvement of Indian people with the administration of this country, and as such it can be a vital mechanism for Indian involvement in their own progress. There is no other like body which gives the Indian people such vital participation in the discussion and solution of their problems. The National Council on Indian Opportunity must be continued and funds appropriated for its continued operation.

As more and more programs for Indians are begun in agencies other than the Department of the Interior, the need for program coordination and appraisal becomes even more acute. Nearly half of the total Federal outlay in Indian Affairs goes to agencies other than the Bureau of Indian Affairs. These departments, whose secretaries, along with the Vice President as chairman, and the Indian members mentioned above, sit on the Council, are: Agriculture, Commerce, Labor, HEW, HUD, and OEO. Additionally, it is expected that the Department of Justice will embark on its first Indian program during fiscal year 1970. In judgment of the subcommittee, the Council is the only agency equipped with the authority to coordinate all Federal Indian programs.

On September 3, 1969, the Senate passed an authorizing resolution continuing the Council. The resolution is now pending in the House of Representatives and the subcommittee recommends favorable action be taken as soon as possible.

It is expected that another request for funding of the Council will be included in a supplemental appropriations bill to be sent to Congress later this fall. The subcommittee concluded that favorable action on funding the Council is imperative.

13. The subcommittee recommends—

That the Bilingual Education Act (title VII of the Elementary and Secondary Education Act) receive sufficient funding so as to enable expanded programs for Indian children, that the act be amended to include schools operated for Indians

by nonprofit institutions, and that BIA schools undertake expanded bilingual education programs of their own, along the lines of those outlined in the Bilingual Education Act, to meet the needs of Indian pupils.

There are nearly 300 Indian languages in use today in the United States. More than one-half of the Indian youth between the ages of 6 and 18 use their native language. Two-thirds of Indian children entering Bureau of Indian Affairs schools have little or no skill in English.

At the same time, a substantial number of the teachers instructing Indian children are unfamiliar with the only language their Indian students understand. It is estimated that less than 5 percent of teachers in BIA schools are native to the culture and language of the Indian children they teach. Thus, thousands of Indian children who know only their native language are taught by teachers who essentially know only English.

Of the $7.5 million appropriated for the Bilingual Education Act (title VII of the Elementary and Secondary Education Act)—a vastly inadequate amount—only $306,000 is being spent on Indian bilingual programs benefiting but 773 Indian children.

This program can do much more than enable the child to learn English through use of his native language. It can emphasize the history and culture of the Indian, provide for native aides in the classroom and develop a system of home-school coordinators to improve the relationship between school and family. The bilingual education program offers opportunities to sensitize teachers to Indian culture through inservice and preservice programs. Programs can be provided to train teachers in the native language of their Indian students. One effort presently in operation provides for a curriculum guide for mothers of Cherokee children so that they can work with their children in understanding new language concepts.

Title VII, ESEA, offers a unique opportunity to provide bilingual and bicultural education for Indian students, as well as to initiate programs which would give teachers a better understanding of Indian language, culture, and history.

While the bilingual education program requires expansion to meet the needs of all non-English speaking children, an intensive effort is needed now to provide Indians with culturally sensitive programs.

The Rough Rock Demonstration School on the Navajo Reservation in Arizona, operated as a nonprofit corporation, has shown that remarkable progress can be made by using culturally sensitive teaching materials and teachers trained in the bilingual education approaches. The children learn English faster this way, while at the safe time sustaining pride in their culture. To receive bilingual education funds under this title, Rough Rock must be defined as a local educational agency.

14. The Subcommittee recommends—

That a major effort be undertaken immediately to (*a*) develop culturally sensitive curriculum materials, (*b*) train native teachers, and (*c*) promote teaching as a career among Indian youth.

The subcommittee was shocked to find, not only the absence of bilingual materials, but the absence of hardly any culturally sensitive materials in the Federal and public schools it investigated. In many cases the materials used by the children either completely ignored the contributions of Indians to society, or presented Indians in insulting stereotypes. In some instances the teaching materials in use were totally irrelevant to the experiences of the children. In Alaska, for example, the subcommittee found schools using "Dick and Jane" readers which referred to cows, farms, cities, grass and other items completely unfamiliar to the Alaskan native. Only at the Rough Rock Demonstration School in Arizona were children being taught with materials related to their native culture and designed by Navajos themselves. Nothing underscores more the insensitivity of the present paternal method of educating Indian children than the continued absence of bicultural materials. This situation must be corrected immediately.

In addition, new programs to train native teachers are required immediately, as is a program to encourage Indians to undertake teaching careers. The number of Indian teachers in public schools in infinitesimal, and even in the all-Indian BIA schools Indian teachers constitute only about 16 percent of the teaching staff. The percentage of these Indian teachers who teach children of their own tribe and language is smaller yet. A special effort should be made to recruit Indians into teacher-training programs, and a means should be established whereby Indian teenagers would be informed early in their secondary school years of college opportunities in teacher training.

II. ADMINISTRATION OF INDIAN EDUCATION

A. General Recommendations

The most difficult question confronting the subcommittee was what organizational changes are necessary if Indian schools are to become "models of excellence" in terms of both program and Indian control. The subcommittee has found that the Bureau of Indian Affairs suffers from a severe bureaucratic malaise, which militates against change and innovation as well as actively discourages Indian control. The present structure of the Federal school program, as an integral part of the Bureau of Indian Affairs, places primary control over educational decisionmaking in the hands of area directors and noneducators. It destroys educational leadership and rewards mediocrity. It is therefore not possible to conceive of change and improvement in the present structure. If an exemplary program is to be developed, it will require a radical and comprehensive reorganization.

15. The subcommittee recommends—

(a) That the position of the Commissioner of the Bureau of Indian Affairs be upgraded by giving him the concurrent title of Assistant Secretary for Indian Affairs.

(b) That the Bureau of Indian Affairs be removed from the authority of the Assistant Secretary for Public Land Management and be placed under the authority of this new Assistant Secretary for Indian Affairs.

At present, the BIA is one of four bureaus under the Assistant Secretary for Public Land Management. The four are: the BIA; the Bureau of Land Management; the Bureau of Outdoor Recreation; and the Office of Territories. This Assistant Secretary is thus principally concerned with the conservation, management, and development of some 453 million acres of the nation's public lands, and the administration of mining and mineral leasing on federally owned lands. He is also the focal point of Federal activities related to outdoor recreation.

It is perfectly plain that the present administrative arrangement short-changes the BIA, which must compete with other bureaus (whose interests are diametrically opposed) for the Assistant Secretary's attention.

The present arrangement has resulted in inadequate budget levels, neglect of educational programs and problems, and lack of forceful leadership for improvement. The change in placement and status of the BIA should permit higher budget levels, more effective leadership, and more rapid innovation.

There exist ample precedents for this dual title. For example, in the Department of Housing and Urban Development, the Assistant Secretary for Mortgage Credit is also the Commissioner for Federal Housing. Furthermore, the Commissioner of the BIA, Hon. Louis Bruce, endorsed this step in a meeting with the subcommittee on Oct. 2, 1969.

16. The subcommittee recommends—

That there be established a National Indian Board of Indian Education with authority to set standards and criteria for the Federal schools.

Structurally, this recommendation is patterned after the organization of education in the States, with the National Indian Board of Indian Education as the centerpoint of citizen participation much as is the State Board. It would, as do the counterpart boards in the States, have oversight over the operations of the schools and have authority to set standards and criteria and determine policy within the framework of the law. The National Board would receive funds for its operations.

The National Board would be composed of some fifteen members, representative of the Indian tribes and communities, serving staggered terms of three years. They would be appointed by the President from lists of nominees furnished by the Indian tribes and communities and would be eligible to serve no more than two consecutive terms. At least annually, but more often if necessary, the Board would submit to the Congress and to the President reports and recommendations for administrative action or legislation, thus giving the Indians themselves leverage in effecting change. The National Board could elect to *ex officio* membership no more than five non-Indian individuals expert in areas of concern to the Board.

The National Board would be authorized to utilize the expertise of the U.S. Office of Education, the Office of Economic Opportunity, and other Federal agencies.

While this recommendation envisions the appointment of the National Board, the subcommittee believes that the matter of election of the members of the National Board merits careful consideration. Therefore, the National Board should be empowered to establish the mechanism for electing the Board, and an equitable means by which such members might be elected. It should submit a plan for election of Board members, to the Congress, and to the President. If this plan is not rejected by either House of Congress, following the procedure of congressional action as prescribed by law in the case of executive reorganization plans, then the election procedure would be put into effect.

The National Board would also be empowered to participate in the negotiation of contracts with individual tribes and communities to run local school systems for Indians.

The Board would present to the Department of Interior its suggestions for nominees for Assistant Commissioner for Education as well as presenting its views on any candidate that the Department may be considering for the post. Since the Assistant Commissioner for Education would be serving for one or more terms of 4-year duration, the National Board would have the foregoing review responsibilities also with respect to reappointment.

Finally, the National Board would serve in an advisory capacity with respect to Federal education programs involving Indians in the public schools. For example, the Board could review school district use of Johnson-O'Malley funds to assure they were being used for the needs of Indian students.

17. The subcommittee recommends—

That Indian boards of education be established at the local level for Federal Indian school districts.

The powers of such local boards would be similar to those powers traditionally held by local school boards. The boards, for example, would have supervision over curriculum and the hiring of faculty in the schools in their districts. Generally, they would have jurisdiction in Indian school districts containing elementary and secondary schools situated in a proper geographic, tribal, or community area. These boards would be either elected by the Indian district in which they would serve, or be appointed by the tribal or community authority there. It is assumed that the method of selection would vary from area to area. Approximately 80 percent of local boards throughout the country are elected.

In keeping with the practice throughout the Nation wherein the overwhelming majority of local school boards are elected, the subcommittee expresses the hope that local Indian boards will likewise be subject to election, keeping in mind that in a minority of areas, as elsewhere in the country, local preference may dictate that the board be appointed.

The local boards would have direct lines of communication with the National Indian Board of Indian Education, and would be empowered to convey to it recommendations for overall policy.

18. The subcommittee recommends—

That Indian parental and community involvement be increased.

The BIA has been particularly lax in involving the participation of Indian parents and communities in the education process. Such involvement would have a beneficial effect on the attitude of Indian children toward school and their own education, and could be helpful in bringing about strengthened and enhanced education programs.

In addition, this parental and community involvement at the school level complements the local and national Indian boards recommended above.

19. The subcommittee recommends—

> **That the Assistant Commissioner for Education of the Bureau of Indian Affairs be given the responsibilities of a superintendent of Federal schools, having direct line control over the operation of the schools, including budgets, personnel systems, and supporting services. It also recommends that the term of office of the Assistant Commissioner be limited to 4 years, subject to reappointment.**

This would place the Federal school system outside of area office and reservation agency control, and leave the Federal school system as an autonomous unit within the BIA. Furthermore, it would permit the Assistant Commissioner much greater authority to negotiate with State and local school boards and agencies for augmented Indian education programs in the public schools.

The subcommittee urges that the Assistant Commissioner for Education retain decisionmaking authority over policy matters, and delegate only ministerial functions to his subordinates.

20. The subcommittee recommends—

> **That the Department of Health, Education, and Welfare and the Department of the Interior, together with the National Council on Indian Opportunity, jointly devise a plan of action for a united effort between the two Departments for the development of a quality education program for Indian children, and that such plan be submitted to the Congress no later than March 1, 1970.**

Two Federal agencies presently have the special expertise required to upgrade the education of Indian children. The Bureau of Indian Affairs has direct responsibility for educating children in Federal Indian schools, and the U.S. Office of Education concerns itself with public school programs, some of which affect Indian children. Both agencies have the same goal of quality education. Unfortunately, each agency pursues that goal within the context of its own plans and operations. There is little, if any, sharing of ideas or resources. These two Federal agencies do not work together to reach solutions to common Indian education problems, primarily because no working mechanism exists for that purpose.

In 1967 the Senate Labor and Public Welfare Committee posed the question of where in the Federal structure responsibility for Indian education should be located in order to best serve the interests of Indian children. An interdepartmental committee (HEW-Interior) was established and a careful review was undertaken by both Departments. Despite the fact a number of meaningful recommendations were made and supported by the two Departments, relatively minor progress has been achieved.

The subcommittee believes that the failure to implement the interdepartmental committee's recommendations was due in large measure to the absence of a commitment to a joint cooperative effort between Interior and HEW.

The subcommittee therefore strongly urges the Secretary of the Interior and the Secretary of Health, Education, and Welfare, together with the NCIO, to devise a plan of action for a united effort by the two Federal Departments, and other relevant departments and agencies for the development of a quality education program for Indian children irrespective of place of enrollment.

In developing such a plan the two Departments should consider ways in which personnel from both Departments working on the united effort could work with the proposed National Indian Board of Indian Education.

The subcommittee requests that such a plan be submitted to the Congress no latter than March 1, 1970.

III. THE ROLE AND FUTURE OF FEDERAL SCHOOLS

A. An Exemplary School System

In the past, Federal Indian schools have primarily served as agents of coercive assimilation into the dominant culture and to a substantial extent they are still playing that role. They have been chronically underfunded and understaffed and have largely failed to recognize the special needs of their students. Only recently have they been conceptualized as a potential national resource.

21. The subcommittee recommends—

> **That the Federal Indian School System be developed into an exemplary system, which can play an important role in improving education for Indian children. Federal schools should develop exemplary programs in at least these three areas:**

1. Outstanding innovative programs for the education of disadvantaged children.

2. Bilingual and bicultural education programs.

3. Therapeutic programs designed to deal with the emotional, social and identity problems of Indian youth.

In order to implement this recommendation, the subcommittee notes the following areas seriously in need of immediate attention:

(a) An effort to develop more effective preservice and in-service training for teachers and administrators.

(b)(i) Substantial upgrading of teacher personnel practices, including recruitment, certification, and retention. The subcommittee received many expressions of concern that despite the devotion and ability of most teachers, there are significant problems regarding the professional capacity and effectiveness of numbers of teachers in BIA schools.

Civil service practices should be modified when they conflict with a local school board's authority to discharge the responsibilities traditionally held by local public school boards. Local Indian boards should have traditional local powers to hire and release faculty.

(ii) The development of model environments and incentives for attracting and holding outstanding teachers and administrators. The teacher turnover rate is a very serious problem in schools serving Indian children and the Federal bureaucracy is at its worst in undermining initiative, imagination, candor, and professionalism. The fundamental importance of attracting and holding outstanding teachers and administrators throughout the Federal school system demands that a major effort be undertaken outside of BIA to study the existing system and to recommend how this goal can be achieved.

(c) Pupil personnel services have been greatly neglected by schools serving Indian children, due to a lack of adequate funding. Yet this is an area of great need. There must be a very substantial expansion of personnel and programs in the areas of special education, guidance, and counseling and psychological services.

(d) Model prevocational and vocational training programs should be developed at the secondary and postsecondary levels, and there should be innovative programs demanding the best of students, including cooperative education programs, and aiming at the job market of the future, not the past.

(e) Major upgrading of skills and competence in the teaching of English, with emphasis on bilingual educational programs. More attention should be given to teaching Indian languages as a second language to school personnel on Indian reservations.

(f) A general strengthening and upgrading of all academic programs utilizing the best educational techniques and innovations available.

(g) A substantial investment should be made in sophisticated research and development activities serving a number of experimental programs and schools. Part of this can best be done by contracting with outside agencies, but it is essential for Indian schools to be thoroughly self-critical, self-evolving institutions. This requires local expertise and some research and development capability.

(h) Major efforts should be made to involve Indian adults and communities in the work of and control over the schools. This should not be done on a token or patron basis, but rather by establishing actual community school boards and contracting the operation of schools back to Indian groups and communities.

(i) The overall budget for the Federal school system has been grossly inadequate. This is in large part due to the inability of BIA to establish appropriate educational standards and calculate the real costs involved in providing an equal educational opportunity for Indian students. The education budget of BIA needs a complete overhaul and adequate standards must be developed. It can be assumed that actual costs must double or triple if an effective program is to be developed.

(j) The BIA should establish a procedure for planning and evaluating education programs for Indian children. This procedure should be designed to ascertain specific educational needs of Indian children, set forth goals in meeting those needs, plan programs and projects designed to achieve those goals, and evaluate the effectiveness of those programs and projects in achieving the purposes for which they are established.

B. Special Problems

1. ELEMENTARY BOARDING SCHOOLS

22. The subcommittee recommends—

That as rapidly as possible, the elementary boarding schools on the Navajo Reservation should be replaced by day schools.

The subcommittee believes that elementary boarding schools are emotionally damaging to the children who attend. Two steps should be taken to deal with this problem during the period of time needed for phasing them out:

(a) A thorough investigation of these schools should be conducted by a team of mental health and child development professionals to determine how the school environment and practices can be substantially improved.

(b) A massive effort should be undertaken to improve these schools while they are being phased out. To begin with, the ratio of dormitory aides to children supervised should be lowered to 1:15 or less and the aides must be well-trained.

2. OFF-RESERVATION BOARDING SCHOOLS

23. The subcommittee recommends—

That the National Indian Board of Indian Education, in concert with a team of professional consultants competent in areas of personality development and mental health, should conduct a detailed investigation of the off-reservation boarding schools to determine which ones should be converted into therapeutic treatment centers. These centers would be administered by Public Health Service's Mental Health personnel in cooperation with the Bureau of Indian Affairs.

Off-reservation boarding schools have generally become dumping grounds for Indian students with serious social and emotional problems. Unfortunately, there are also some students who are enrolled simply because there is no other school available to them. It is highly questionable whether or not these two groups of students should be without any plan, mixed together.

24. The subcommittee recommends—

That the present distribution and location of Federal boarding schools and the pattern of student placement be thoroughly reexamined by the National Indian Board of Indian Education.

The subcommittee has found that over 1,200 Alaskan natives are presently being sent to Federal boarding schools in Oregon and Oklahoma, thousands of miles from their home. In addition, we have found that over 400 Indian students from the Northwest are being sent to Federal boarding schools in Oklahoma. These placement procedures are questionable and were strongly opposed by Indian and native leaders testifying before the subcommittee.

The present distribution and location of off-reservation boarding schools should be carefully scrutinized by the National Indian Board of Indian Education. The present system owes more to historical chance and expediency than rational planning. A new rationale and plan should be developed and implemeted.

3. GUIDANCE AND COUNSELING

25. The subcommittee recommends—

That the guidance and counseling program in BIA boarding schools be substantially expanded and improved.

The guidance and counseling program in BIA schools suffers from numerous deficiences. Presently, the guidance function is combined with dormitory, administration, and disciplinary responsibilities, many of the personnel lack professional training, and counseling services are often not available on weekends or after school hours. A major effort should be made to overcome these deficiencies.

The guidance department should contain only trained professional personnel. Guidance Department staff—other than professionals—should be recognized under a separate department to divorce completely the guidance function from the housekeeping and disciplinery responsibilities. Guidance staff should be available to students throughout the regular schoolday, evenings, and weekends.

C. Special Programs

1. VOCATIONAL EDUCATION

26. The subcommittee recommends—

That there be a thorough review of the vocational education and manpower programs in the BIA.

A thorough review and evaluation of vocational education and manpower programs in the BIA should be conducted by a group of independent experts, similar to the excellent study which resulted in many of the reforms written into the Vocational Education Amendments of 1968. Indian parents and tribal leaders should play a significant role in the review and planning process of this effort. The study should necessarily include employment and economic opportunities available for those Indians who may wish to remain on the reservation or live close to it. Attention should also be given to the number of vocational and manpower programs offered by various agencies and a means for coordinating them.

The vocational training program should take cognizance of the desire of many Indian people to remain on the reservation and prepare students for both on and off reservation employment. Vocational training programs should be closely articulated with economic development programs on reservations.

2. HIGHER EDUCATION

27. The subcommittee recommends—

(a) That stipends for Indian students receiving BIA scholarships and fellowships (including allowances for sub-

sistence and other expenses for such persons and their dependents) be brought into line with practices under comparable federally supported programs and the BIA allocate sufficient funds for this purpose.

For several years there has been an effort in Congress that student stipends (including allowances for subsistence and other expenses for such persons and their dependents) be consistent. This effort has been reflected in amendments to the law (e.g., the Higher Education Amendments of 1968, Public Law 90–575) and changes in administrative practice in Federal agencies (e.g., the National Science Foundation).

The subcommittee would like to bring to the attention of the Bureau of Indian Affairs a passage in Senate Report No. 1387 issued by the Senate Committee on Labor and Public Welfare on July 11, 1968, in conjunction with the Higher Education Amendments of 1968, as follows:

"Therefore, the committee requests that the U.S. Office of Education and other Federal agencies concerned give high priority to equalize through administrative action the terms and amounts of institutional and individual academic support programs. If this equalization cannot be accomplished by the administrative means suggested by the committee in both this report and in Senate Report 1137, then it is requested that the Office of Education and the other agencies concerned submit to this committee a report on the reasons therefor together with appropriate legislative recommendations to accomplish the equalization."

The subcommittee found, for example, that inadequate funding prevents the BIA from granting additional subsistence money to married students. This is inconsistent with the practice of the Office of Education which grants $500 for each dependent.

The BIA estimates that there are about 400 students in this situation and at least an additional 400 needing assistance for graduate studies.

(b) That the Bureau of Indian Affairs should expand scholarship programs so as to provide expanded support for Indian students in graduate studies.

It has not been until recent years that the Bureau of Indian Affairs has recognized Indian graduate students and their need for scholarship assistance. The Bureau has been able to provide only limited funding for graduate study, though. Since many of these Indian students will take major leadership roles in society following their studies, it is essential they be given every opportunity to pursue their educational goals. The Bureau should therefore expand its scholarship program so as to substantially increase funds available to Indian graduate students.

28. *The subcommittee recommends—*

That the BIA's regulation for financial aid for higher education be changed so that need rather than location of residence will determine a student's eligibility.

The present regulation states that Indian students living on or near reservations should be given preference in determining eligibility for grants. The needs of many Indians in urban areas are often as great as Indians near reservations, and thus a student's financial needs should be the major determinant of his eligibility.

29. The subcommittee recommends—

That the Bureau of Indian Affairs should contract with colleges and universities to develop programs to help meet the special concerns of college students.

There is a definite need for a core curriculum in Indian history and culture which touches upon the many aspects of Indian life. Skill-building programs which consider the Indians' culture and language are needed. The Johnson-O'Malley Act should be utilized to contract for such programs.

30. The subcommittee recommends—

That a special effort be made to disseminate information on loans and scholarships and special programs to Indian students desiring to attend college.

There is a definite need to coordinate the information on BIA grants which are available and other grants available to Indian students. Many Indian students are never apprised of the funds available to them for higher education. Such an intensive effort could include establishment of a clearinghouse which could also inform Indians of special programs for Indian students, such as those pre-college orientation programs at Fort Lewis College in Colorado, and Dartmouth College's ABC program.

31. The subcommittee recommends—

A graduate institute of Indian languages, history, and culture should be established.

There is at present no graduate level program encompassing the language, history, and culture of Indians. The information such an institute could disseminate, as well as the research which it would conduct, would greatly increase public knowledge and understanding of the American Indian. Such an institute established by Federal legislation, might very well be operated in conjunction with the Smithsonian Institution.

32. The subcommittee recommends—

Colleges and universities should include within their counselor and teacher-training curriculum, courses designed to acquaint future teachers and counselors with the needs, values, and culture of Indian students.

Too many Indians never seek education beyond high school, or even complete high school, because of the discouragement they receive from teachers, counselors, and administrators. Many of these people simply do not understand Indian culture and values. It is essential that those persons who have such influence over Indians during their school years be knowledgeable and understandable about Indians.

33. The subcommittee recommends—

The Institute of American Indian Arts at Santa Fe, N. Mex. should be raised to the level of a 4-year college, supported by the Bureau of Indian Affairs.

The Institute has had considerable success in instilling a cultural pride in Indian students by providing them with opportunities for creative expression. The individual-oriented programs recognize the importance of a sense of identity. By becoming a college, the Institute could provide a collegewide curriculum for Indians which considers their culture and history—something unique in higher education. The valuable lessons learned and put into practice by the Institute should be expanded into a college curriculum so that the Institute might become a model for colleges interested in developing innovative programs, such as in teacher-training, which recognize Indian needs.

34. The subcommittee recommends—

> **The Bureau of Indian Affairs should provide continuing support for the community colleges on or near Indian reservations, such as the Navajo Community College.**

With more Indians expected to attend college each year, it is essential that a sound community college program be in operation which recognizes the problems of Indian students. The Bureau can take a leading role in this area by providing continuing support for Indian community colleges. The Bureau should conduct a study exploring the feasibility of Indian community colleges, and then of working toward the establishment of such Indian-controlled institutions.

35. The subcommittee recommends—

> **That the Bureau of Indian Affairs should fund an institute in Alaska, possibly in cooperation with the University of Alaska, similar to the Institute of American Indian Arts in Santa Fe, New Mexico.**

There is a need in Alaska, as there has been in the Southwest United States, for a center which would assist natives in functioning in today's world while at the same time retaining their cultural identity. A center is therefore needed emphasizing the traditions of native people, their arts and crafts, their music and dance, their poetry and philosophy. Such an institute could serve a leadership role in developing innovative programs aimed at meeting the needs of native students.

36. The subcommittee recommends—

> **That programs aimed at recruiting and orienting Indian students to college should be expanded and funded at a more adequate level.**

Talent Search, Upward Bound, and Special Services programs should be expanded to include more Indians. Other similar programs, such as Project COPAN at the University of Alaska and the BIA's precollege program at Haskell Institute merit increased funding; they have proven their value in keeping Indians in college, yet many have been discontinued or have been inadequately funded.

37. The subcommittee recommends—

> **That title III (Developing Institutions) of the Higher Education Act be strengthened so as to include recently created higher education institutions attended by Indians located on or nearby reservations as eligible for assistance under that title.**

Title III of the Higher Education Act has for its purpose "to assist in raising the academic quality of colleges which have the desire and potential to make a substantial contribution to the higher education resources of our Nation but which for financial and other reasons are struggling for survival and are isolated from the main currents of academic life. . . ." Section 302 of the act provides that institutions to be aided must have been in existence for at least 5 years. However, since there has been only in very recent times an active interest in establishing such institutions for Indians, and since the Federal Government has a special responsibility for the education of Indians at the postsecondary as well as the elementary and secondary levels, it is suggested that the U.S. Commissioner of Education be authorized to waive the 5-year requirement of title III to include recently established colleges for educating Indians, such as the Navajo Community College in Many Farms, Ariz., which was established in January 1969.

38. The subcommittee recommends—

> **That the Education Professions Development Act, Part F of section V of the Higher Education Act, and the Vocational Education Act be amended to include schools and programs operated by the Bureau of Indian Affairs.**

This recommendation should be implemented by amending sections 503(a), 504(a), 505, 552, and 553 of the Higher Education Act and section 131 of the Vocational Education Act. It would enhance the development of highly skilled personnel in all locations of Federal Indian schools and encourage young Indians to enter into the teaching profession.

The subcommittee's recommendation is also in keeping with the suggestion contained in the second annual report of the National Advisory Council on Education Professions Development, dated January 31, 1969, which stated:

> Schools and programs operated by the Bureau of Indian Affairs are apparently not now technically eligible for personnel development benefits provided by the Education Professions Development Act or the Vocational Education Act. We recommend that acts providing education personnel development programs be amended to remedy this oversight.

39. The subcommittee recommends—

> **That the percentage of Teacher Corps members allocated to elementary and secondary schools operated by the Bureau of Indian Affairs be increased.**

As the law is now written, not to exceed 3% of Teacher Corps assignments in total may be made to Puerto Rico, the Virgin Islands, and BIA schools. The subcommittee's recommendation should be implemented by amending section 513(c)(2) of the Higher Education Act so that the BIA schools may receive not to exceed 5% of Teacher Corps assignments and Puerto Rico and the Virgin Islands would continue to receive, in total, not more than 3% of Teacher Corps members. Thus, additional Teacher Corps members could be assigned to Indian schools, thereby providing the stimulating effects which the Corps members have initiated in the past on a larger scale.

3. ADULT EDUCATION

40. The subcommittee recommends—

(a) That an exemplary program of adult education be developed which will provide for the following:

(i) Basic literacy opportunities to all non-literate Indian adults. The goal should be to wipe out Indian illiteracy.

(ii) Opportunities to all Indian adults to qualify for a high school equivalency certificate. The goal should be to provide all interested Indian adults with high school equivalency in the shortest period of time feasible.

(iii) Surveys to define accurately the extent of the problems of illiteracy and lack of high school completion on Indian reservations.

(iv) A major research and development program to develop more innovative and effective techniques for achieving the literacy and high school equivalency goals. This would include multi-media instruction (including teaching machines, videotape, radio, and TV broadcasting) and the development of curriculum material that is practical, meaningful and interesting to the adult Indian.

(b) That the adult education program be effectively integrated with the rest of the BIA education program. The adult education program should as much as possible be placed under Indian control and contribute as well as benefit from the development of Indian controlled community schools.

A major commitment should be made to the adult education programs for American Indians. The national need for such a commitment is all too evident in the low economic status, rise in alcoholism, lack of employment capabilities, the inability of too many Indian adults to read and write, and the general lack of fulfillment of Indian adults on reservations.

D. Innovation and Research and Development

1. ROUGH ROCK

41. The subcommittee recommends—

That the BIA take a stronger role in assuring that the Rough Rock School continue functioning as an exemplary demonstration school and that similar demonstration schools be established and appropriately funded on other Indian reservations.

The subcommittee has found that the Rough Rock Demonstration School has had a tremendous impact on the development of new and more effective educational programs for Indian children in both public and Federal schools. In addition, it is still the only example of a successful school under tribal control. There is a continuing need for demonstration schools. Rough Rock has been funded at a much higher level than other schools on the reservation, and this is a major reason for its important accomplishments. The BIA should provide strong financial support for a sustained exemplary education program at the Rough Rock School, without in any way infringing on the autonomy of the school (as a nonprofit corporation) to plan and carry out its own programs. In addition, the Rough Rock school should be included in any nationwide array of demonstration schools funded by the Federal Government.

One of the most promising mechanisms for the development of additional model schools would be the contracting of their operation to a nonprofit corporation with an Indian board of directors similar to the Rough Rock school. The Indian board could in turn have the power to subcontract on a competitive basis the operation of the school to any appropriate profit or nonprofit organization capable of developing the model program in keeping with the policy guidance of the board. Decentralization of the Federal school system by means of this contracting device would permit meaningful local control, diversity of approaches, and a healthy sense of competition between different schools.

2. RELATIONSHIP TO COLLEGES AND UNIVERSITIES

42. The subcommittee recommends—

That close ties be developed between institutions of higher education and Federal schools.

Relationships should be established, funded either by contracts or grants, to stimulate and sustain a long-term interest in improving Indian education on the part of universities and colleges. Universities should help develop new curriculum materials, train teachers and guidance personnel, conduct research, and provide continuing technical assistance.

In some instances a university or a group of universities may wish to directly operate a Federal school. Such arrangements with appropriate Indian involvement should be encouraged and adequately funded on a long-term basis.

3. CONSULTANTS

43. The subcommittee recommends—

That the BIA increase its use of consultants.

This report has already recommended a number of areas where consultant assistance is desperately needed by the BIA. The BIA should have a budget sufficient for independent consultant assistance and use them extensively. This is clearly preferable to an attempt to develop substantial in-house specialization. It is impossible to attract the kind of talent needed under present civil service rules and regulations.

IV. FEDERAL ROLE AND NON-FEDERAL SCHOOLS

A. Public Law 81–874

1. FORWARD FUNDING

44. *The subcommittee recommends—*

That forward funding procedures be implemented for Public Law 874.

A number of school districts educating Indians depend upon Public Law 874 for a substantial portion of their budget. Fifteen different States have one or more districts in which Public Law 874 money constitutes at least 25 percent of the total budget, and in many instances that percentage is considerably higher. It is essential that such districts be assured of operating funds at least a year in advance as now authorized by law. Late funding procedures have caused great uncertainty for many districts and have prevented them from adequately planning programs to meet their students' needs.

2. FULL FUNDING

45. *The subcommittee recommends—*

That Public Law 874 be fully funded.

As explained above, some districts are so dependent upon Public Law 874 money that it is essential their education programs are not handicapped because of a lack of full funding.

B. Public Law 81–815

1. PRIORITY IN FUNDING

46. *The subcommittee recommends—*

That section 14 of Public Law 81–815 be declared as deserving of priority funding.

More Indian students continue to be transferred into public schools yearly, but because of inadequate funding for Public Law 815, these public school districts are receiving no funds for construction of additional facilities, which the presence of increased Indian enrollment may necessitate. Public school districts located on reservations must also provide housing for the teaching staff, and often, districts must depend upon Public Law 815 grants for such construction. It is essential that section 14 funding be given the priority needed to provide adequate facilities for Indian students. Because of no funding in recent years, there are areas (Navajo, N. Mex., for example) where the question is not of adequate facilities, but of no facilities for Indian students at all.

2. MORE ADEQUATE FUNDING

47. *The subcommittee recommends—*

That Public Law 81–815 be more fully funded.

Public Law 81–815 has been inadequately funded in recent years. The 1969 appropriation, for example, was only for 19 percent of authorization. Requests for 1967 still haven't been funded. It is imperative that more attention be given to funding this legislation, particularly for those sections under which disadvantaged students, such as Indians, are suffering with inadequate facilities. It is difficult enough to teach children with special needs, without having to face the added difficulty of inadequate facilities.

C. Johnson-O'Malley Act

48. *The subcommittee recommends—*

That each state applying for a Johnson-O'Malley contract should be required to submit a definite plan for meeting the needs of its Indian students.

Too often the plans submitted by States are vague and meaningless. Specific programs are rarely outlined, and there appears to be no concerted attack on the problems of the Indian. State plans should detail the use for which Johnson-O'Malley money will be put, and explain how the JOM contribution fits into the statewide plan for helping meet the special needs of Indian students.

49. *The subcommittee recommends—*

That better accountability and evaluation procedures should be instituted at the State and local levels.

The Bureau of Indian Affairs should require improved evaluation components at the State and local levels. The only accountability measures now are a State's annual report, which vary tremendously in quality and content. Some uniform data collection technique should be established, and States should be required to report the results of their JOM programs rather than just the fact that such programs were in operation.

It is a fair measure of the BIA's lack of concern for the education of Indian children in public schools that the subcommittee could find no evidence of any serious effort by the BIA to assure that JOM funds were used for educational programs for Indian students. The funds are given to local public school districts, which often use the money for general educational purposes rather than the special needs of Indian students. The subcommittee cannot emphasize too strongly that these funds are to be used for the education of Indian children only, and that the BIA should condition their release upon that purpose with proper accountability.

50. *The subcommittee recommends—*

That Indians should be involved in the planning, executing and evaluating of Johnson-O'Malley programs. A State or district's JOM plan should be subject to the approval of the Indian participants.

The Bureau of Indian Affairs, as a prerequisite to JOM contract approval, should require Indian participation in the planning, execution, and evaluating of JOM plans. Indians should be involved at both the local and State levels in formulating the JOM budget request, and in seeing that the plan is carried out. All proposals and plans must be approved by those Indians participating.

51. The subcommittee recommends—

> **That technical assistants should be hired by the BIA to work with local agencies, State departments of education and Indian participant groups in helping to identify special Indian needs and in developing programs which would meet those needs.**

The assistants should be Indians who can serve as special consultants to the parties involved in order that the best possible JOM contract can be negotiated. They should not be desk-bound nor assigned to such an expansive territory that they are unable to get out into all parts of the field.

52. The subcommittee recommends—

> **That Johnson-O'Malley funding should not be conditioned by presence of tax-exempt land.**

The criteria for approval of a Johnson-O'Malley contract should be: (*a*) an exhibited need for programs aimed at meeting the special needs of Indian students, and (*b*) a proposal which details how those needs will be met. The presence of nontaxable Indian land should not have any bearing in determining the eligibility of children for JOM money. When the law originally was passed, congressional intent was for the act to serve primarily those Indians who were "to a considerable extent mixed with the general population." That intent has not been fulfilled.

53. The subcommittee recommends—

> **That the expanded contracting authority authorized by the Act's 1936 amendment should be utilized for the development of curriculum relevant to Indian culture and the training of teachers of Indian students.**

Only in recent years has the Bureau shown some creativity in utilization of the expanded contracting authority. This amendment offers far greater potential for innovative educational projects than has been demonstrated. It could be a very good vehicle, for example, to improve curriculum for Indian students, and to train teachers who will be teaching Indian students. Universities and nonprofit corporations might be contracted to develop special curriculums which recognize Indian culture, and to develop and institute teacher-training programs which include a recognition that teachers of Indian students have special responsibilities.

54. The subcommittee recommends—

> **That tribes and Indian communities should be added to the list of agencies with which the Bureau of Indian Affairs can negotiate Johnson-O'Malley contracts and that full use be made of this new contracting authority to permit tribes to develop their own education projects and programs.**

The subcommittee has found that very few Indian tribes and communities have developed educational plans which identify problems and establish goals. However, the subcommittee was impressed by the fact, that Indian communities have a better understanding of their education needs and problems than the schools that serve them. The schools rarely understand the Indian community and cultural differences, and the Indian community rarely has any influence on the school. Johnson-O'Malley contracts with Indian tribes and communities could do much to break down these barriers, and place the initiative and responsibility for change and improvement in the hands of those who best understand the problems.

Johnson-O'Malley contracts with Indian tribes and communities could serve a variety of important purposes. For example, tribal surveys and factfinding efforts to determine educational needs; the development of education plans and goals; developing effective liaison between Indian parents and public schools; developing Indian education leadership; planning, funding, implementation and evaluation of special education programs for Indian children in cooperation with public school districts; education programs and projects run directly by the tribe itself (for example, summer school programs).

The basic responsibility for development of this program should be vested in the National Indian Board of Education. It will require close coordination with the development of strong Indian school boards on those reservations with Federal schools.

An important and promising precedent for this tribal-contracting approach has recently been initiated by the Indian Health Service. The Indian community health representative program is worthy of careful study by the National Indian Board of Education to determine its applicability to the field of Indian education.

D. Transfer of Responsibility

55. The subcommittee recommends—

> **That Indian tribes or communities should approve in a formal referendum the transfer of their children to public schools before such a transfer can be effected.**

The Bureau's transfer policy, as presently stated in the Indian Affairs Manual, gives the Bureau the authority to determine when Indian students should be transferred from Indian schools to public schools. Despite former Commissioner Bennett's statement that tribes will decide in a referendum when they are ready for transfer, no such written policy exists. If the Bureau's "mutual readiness" policy is to mean anything, Indians must have the opportunity to determine when they are "ready" for transfer.

56. The subcommittee recommends—

> **That public school districts be required to demonstrate clearly they are ready for transfer of Indian students by developing programs aimed at meeting the children's special needs and involving the Indian community in the school.**

School districts anticipating Indian enrollment must provide more than teachers and space for their Indian students. They must show they have developed programs aimed at meeting the special needs of Indian students. These programs should include such things as curriculums which recognize the unique character of Indian culture, teacher workshop designed to sensitize teachers to the special problems of Indian students, and provisions for meaningful Indian development in the operation of the school.

57. *The subcommittee recommends—*

> **That Bureau of Indian Affairs should hold the public schools accountable for the education of Indian students transferred from BIA schools.**

The performance of the Indian student in the public school should be the test as to whether the school is fulfilling its educational obligation. The Bureau should make periodic checks of Indian performance data in public schools, and that data should be reported to local and State school authorities, the Indian tribes or communities affected, and the U.S. Office of Education when OE programs are involved. The dearth of such data now makes it extremely difficult to assess Indian performance so that the problem areas can be identified and dealt with.

V. OTHER MATTERS

58. *The subcommittee recommends—*

> **That State and local communities should facilitate and encourage Indian community and parental involvement in the development and operation of public education programs for Indian children.**

The subcommittee especially noted a lack of participation, due to several causes, of Indians in education operations in the communities. In several localities, where a substantial number of Indian youngsters are attending public schools, Indian involvement in the operations of the schools attended by their children was practically or entirely nonexistent. There are opportunities which can be utilized to enhance this participation, however, as evidenced by what transpired in New Mexico where local school boards were enlarged to accommodate Indian members. Other means to enlarge Indian parental involvement are also available. It is generally felt, it might be added, that such parental involvement will have a beneficial effect on the attitude of Indian children toward school and their learning.

In States where there are a significant number of Indian children attending public schools, an Indian should be engaged by the State educational agency to advise on Indian education problems and to participate and give oversight to Indian schooling. This is now being done, for example, in California and Minnesota.

Finally, Indians should be involved in State and local educationally advisory groups, especially those established for Federal programs.

59. *The subcommittee recommends—*

> **That Indians should be considered for appointment to the advisory groups functioning within the U.S. Office of Education, including those established by statute as well as those created by administrative action.**

Such advisory groups should be requested to give special attention to problems of Indian education, where appropriate. In particular, the National Advisory Council on the Education of Disadvantaged Children should give Indian education its continuing attention. Copies of this report should be brought to the attention of the Council and other Federal education advisory groups.

The U.S. Office of Education indicates that there are within OE some 2 dozen education advisory groups established by law or administratively. Indians are inadequately represented on these groups.

60. The subcommittee recommends—

> **That in receiving funds under the set-aside provisions in the several titles of the Elementary and Secondary Education Act, the BIA should be required to prepare and submit its proposals to the Office of Education for approval and should bear the same responsibility for maintenance of effort as the States.**

It is evident that the BIA does not meaningfully involve the U.S. Office of Education in its programs under the Elementary and Secondary Education Act for which BIA receives funds administered by OE. States receiving these funds submit to OE their State plans which indicate that the funds are being used in accord with the law and that the ESEA funds are supplementing, not supplanting, State and local expenditures; the BIA should follow a similar procedure.

APPENDIXES

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APPENDIX I

The Failure of National Policy: An Historical Analysis

In Feburary 1968, Mr. Lloyd New, director of the Institute for American Indian Arts, testified before the Senate Indian Education Subcommittee. Speaking as an Indian, a distinguished artist, and director of the Institute of American Indian Arts at Santa Fe, New Mexico, he summarized the effects of the failure of national policy regarding American Indians:

> For almost five centuries the American Indian has been subjected to a process of attrition which has slowly eroded the roots of his cultural (and economic) existence. His physical ways have been completely obliterated in many areas and, presently, his spiritual existence is in extreme jeopardy.
>
> The many and varied attempts that have been made to "help" him, and particularly "educate" him, have been largely unsuccessful.
>
> Perhaps in part because it was assumed that the sooner the Indian was forced to abandon his ways and join the melting pot of America, the better off he would be. But he has displayed unique resistance to that idea, possibly because his psychological relationship to the land was different from that of the immigrant groups who eventually surrounded him. Failure on the part of those who have dealt with the Indian to understand the basis of his tenacious observance of his own cultural mores has resulted in the abortion of almost every attempt to assist him. Even now, various kinds of human salvage operations, such as urban relocation, employment assistance, on-the-job training, and other rehabilitation efforts are, at best, only stopgap efforts to meet his worldly needs, while failing miserably to provide the cultural and emotional substance required to put his life in balance.
>
> The American Indian has always been devoted to a philosophy which holds that one's existence should blend into the comparatively passive rhythms of nature, as opposed to the dominant society's quest for control of nature through scientific manipulation of its elements. In the main, direct attempts to switch him from his philosophical position have failed, much to the consternation of those who have tried.
>
> In the past, public apathy and disinterest permitted him to maintain a certain degree of privacy in this way of life but in recent times he has been forced into the public struggle for economic survival, due to the lack of an environment supportive of his old ways. With limited land holdings and the inevitable encroachments of the dominant society the American Indian is hard pressed in his efforts to maintain his view-

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point while adjusting to the exigencies of the modern world.

No longer in a position to make war with the opposition, the Indian, in general, has adopted a tendency to withdraw and lie quietly in the remnants of his old world, only halfheartedly picking at the offerings made to him by his multitudinous and dominating neighbors.

Poverty, poor health, unemployment, and a growing rate of alcoholism among Indian adults, and a shocking prevalence of suicide, dropouts, and delinquency among Indian youth attest to the fact that there has been an overall failure to provide an educational approach sufficiently effective to promote constructive social transition.

MISSION PERIOD

It is important to make a distinction between education and formal education when considering the American Indian. As Dr. Brewton Berry has pointed out, "Education * * * is not an invention of the white man, nor is it his sole possession. Every human society devises means for socializing the young and transmitting its culture."[1] The importance of this distinction is pointed up dramatically in an exchange cited in Benjamin Franklin's "Remarks Concerning the Savages of North America." In 1744, after the Treaty of Lancaster in Pennsylvania between the government of Virginia and the Six Nations, the Virginia Commissioners offered to the chiefs to educate six of their sons at a college in Williamsburg, Va. The chiefs replied as follows:

> Several of our young people were formerly brought up at the colleges of the Northern Provinces; they were instructed in all your science: but when they came back to us, they were bad runners; ignorant of every means of living in the woods; unable to bear either cold or hunger; knew neither how to build a cabin, take a deer, or kill an enemy; spoke our language imperfectly: were therefore neither fit for hunters, warriors, or counselors; they were totally good for nothing. We are however not the less obliged by your kind offer, though we decline accepting it: And to show our greatful sense of it, if the gentlemen of Virginia will send us a dozen of their sons, we will take great care of their education, instruct them in all we know, and make men of them. (Benjamin Franklin, Two Tracts, etc. (2d ed., 1794), pp. 28–29.)

The important truth to be drawn from that exchange has been largely ignored in the 400-year history of formal education for American Indians. According to Dr. Berry, "Formal education of the American Indian began with the coming of the white man, and has continued to the present time, with conspicuous lack of success."[2]

Starting with the first mission school established by the Jesuits for Florida Indians in 1568, the first 300 years of formal education for

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[1] Dr. Brewton Berry, "The Education of American Indians, a Survey of the Literature," prepared for the Special Subcommittee on Indian Education, 91st Cong., first sess., February 1969, p. 5.

[2] Ibid., p. 5.

Indians in the United States was dominated by the church. The basic goals of this period were to "Christianize" and "civilize" the heathen.

> A few Jesuits were in Florida in the 1500's, and for a time they worked in the Southwest, but their principal activities in the present United States covered the period from 1611 to the end of the 1700's. They were mostly of French extraction, they entered the continent by way of the St. Lawrence River, and their activities centered around the Great Lakes, and the Mississippi and its tributaries.[3]
>
> In addition to converting them to Christianity, Frenchification of the Indians was the Jesuits' goal. Louis XIV, who gave them considerable financial support, repeatedly gave orders that all possible efforts should be made to "educate the children of the Indians in the French manner." Layman maintains that it was their policy to remove the children from their families and tribes, to stress French language and customs, and to emphasize the traditional academic subjects.[4]
>
> Protestants were also bent upon Christianizing and civilizing the Indians, and the Virginia colonists began thinking along those lines as soon as they had won a secure foothold.
>
> King James I, on March 24, 1617, called upon the Anglican clergy to collect money "for the erecting of some churches and schools for ye education of ye children of these Barbarians in Virginia." The following year the Virginia Co. directed the Governor of the colony to choose a convenient place for the building of "a college for the children of the infidels," and 10,000 acres of land were set aside for that purpose. It was not until 1691 that the College of William and Mary was finally chartered. Many Indian students were brought there in the succeeding years.[5]

In Massachusetts, the charter of the Bay Co. declared that the main objective of the company was the conversion of the natives. The boarding school approach, separating Indian children from their families and tribes, was initiated by Rev. John Sargeant in Stockbridge, Mass., along with an "outing system," whereby Indian pupils were placed in Puritan homes during their vacation periods, to keep them from returning to their tribal ways. A similar program was developed by Rev. Eleazar Wheelock:

> who founded a training school for Indians at his home in Lebanon, Conn. His philosophy involved the removal of the Indians from their natural environment, surrounding them with the influences of the Puritan home, and teaching them the rudiments of secular and religious knowledge and "husbandry." Later he moved his school to Hanover, N.H., where it was named Moor's Charity School, and later became Dartmouth College.[6]

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[3] Ibid., p. 7.
[4] Ibid., p. 7.
[5] Ibid., p. 8.
[6] Ibid., p. 9.

The general attitude of the Puritans toward the Indian is revealed by an incident in 1637 when the Pequot Tribe resisted the migration of settlers into the Connecticut Valley. A Pequot village was burned to the ground and 500 Indians were burned to death or shot while trying to escape. The surviving Pequots were sold into slavery. The Puritans gave thanks unto the Lord that they lost only two men, and Cotton Mather was grateful to the Lord that, "On this day we have sent 600 heathen souls to hell." [7]

It is difficult to evaluate the success of these various religious efforts but the outcome was questionable, to say the least. Dr. Berry cites a fairly typical lament attributed to a Mr. William Byrd:

> Many of the children of our neighboring Indians have been brought up in the College of William and Mary. They have been taught to read and write, and have been carefully instructed in the Principles of the Christian Religion until they came to be men. Yet after they returned home, instead of civilizing and converting the rest, they have immediately relapt into infidelity and barbarism themselves.[8]

Layman refers to the "almost complete failure of the Jesuits to attain their educational purposes." And referring to the period 1778-1871, he states:

> The net results of almost a hundred years of effort and the expenditure of hundreds of thousands of dollars for Indian education were a small number of poorly attended mission schools, a suspicious and disillusioned Indian population, and a few hundred products of missionary education, who, for the most part, had either returned to * * * (their tribal ways) or were living as misfits among the Indian or white population.[9]

2. TREATY PERIOD

From the beginning, Federal policy toward the Indian was based on the desire to dispossess him of his land. Education policy was a function of our land policy, and until the final Indian uprising in the late 19th century, took place in the context of wave after wave of invasion by white settlers reinforced by military conquest. Treaties, almost always signed under duress, were the window dressing whereby we expropriated the Indian's land and pushed him back across the continent.

Beginning with President Washington, the stated policy of the Federal Government was to replace the Indian's culture with our own. This was considered "advisable" as the cheapest and safest way of subduing the Indians, of providing a safe habitat for the country's white inhabitants, of helping the whites acquire desirable land, and of changing the Indian's economy so that he would be content with less land. Education was a weapon by which these goals were to be accomplished.

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[7] Peter Farb, "Man's Rise to Civilization as Shown by the Indians of North America From Primeval Times to the Coming of the Industrial State," E. P. Dutton & Co., Inc., New York, 1968, p. 247.

[8] Dr. Brewton Berry, op. cit., p. 9.

[9] Ibid., p. 9.

The Indian's "lack of civilization" was the justification used for taking his land. Benjamin Franklin observed that it was necessary "to extirpate the savage in order to make room for the cultivators of the earth." President Jefferson "had hoped that trading posts would encourage Indians to accumulate debts which they could pay off by ceding land." He proposed that the Government would then "settle the Indian benignly on agricultural reservations where they would learn to farm and become like their white neighbors." President Monroe, writing in 1817, stated: "The hunter or savage state requires a greater extent of territory to sustain it than is compatible with the progress and just claim of civilized life * * * and must yield to it." Senator Thomas Hart Benton of Missouri claimed that the whites must supplant Indians because whites used the land "according to the intentions of the Creator."

Education was clearly to play a very secondary role to the use of force. President Andrew Jackson, who had been raised on the frontier, denounced treaties with Indians as an "absurdity" and a "farce." In 1830, he sought and obtained from Congress legislation permitting the forced removal of all Indian tribes east of the Mississippi. During the next 10 years, an estimated 70,000 to 100,000 Indians were captured and herded westward, across the Mississippi. Thousands more died from disease, exposure, and starvation on the thousand-mile forced march west.

From September 17, 1778, when the first treaty between the United States and an Indian nation was signed with the Delawares, until 1871, treaties established the main legal basis for the Federal policies with respect to Indian education. The earliest treaty containing a specific provision with respect to education was the treaty with the Oneida, Tuscarora, and Stockbridge Indians of December 2, 1794.

Through treaties and agreements, the Indian tribes ceded to the United States almost a billion acres. Although treaty provisions vary, in general, the Indians retained lands for their own use which were to be inalienable and tax exempt. The Federal Government in turn agreed to provide public services such as education, medical care, technical and agricultural training. Specific education provisions were included in a substantial number of treaties.

On March 30, 1802, Congress appropriated not to exceed $15,000 annually to "promote civilization among the aborigines." This was the first statutory provision establishing congressional responsibility for Indian education.

At the request of President Monroe, the Congress passed an act on March 3, 1819, which Felix Cohen calls "the organic legal basis for most of the education work of the Indian Service."[10] The purpose of the act was to "civilize" by converting Indians from hunters to agriculturists.[11] The funds involved were apportioned among those societies and individuals—usually missionary organizations—that had been prominent in the effort to "civilize" the Indians. As treaty funds became available, these were disbursed in the same way. The annual appropriation, known as the "civilization fund," continued until the end of the treaty period and was repealed in 1873.

The Office of Commissioner of Indian Affairs was created by Congress as a part of the act of July 9, 1832, although the Bureau itself had been established in 1824. The office was under the direction of the Secretary of War, and subject to the regulations prescribed by the President. Indian Affairs remained under the jurisdiction of the War Department until 1849, when it was moved to the newly established Department of Interior. Under this act, the Bureau of Indian Affairs passed from military to civilian control. This had little practical effect on actual administration, however, since Army officers continued to be employed as agents.

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[10] Cohen, "Hndbook of Federal Indian Law," 1940 ed. p. 239.
[11] *Worcester* v. *Georgia*, Ga. 1832, 31 U.S. 515, 6 Pet. 515, 8 L. Ed. 483.

The attitudes of the early Commisioners of Indian Affairs shaped the policies of Indian education for the century that followed, given the broad legislative discretion granted by Congress to the Secretary of Interior, and in turn, to the "Head" of Indian Affairs, to manage the education of Indians. The annual reports of the Commissioners are clear indicators of those attitudes.

In his second annual report, the first Head of the Bureau of Indian Affairs, Thomas L. McKenney, in urging increased appropriations for the support of Indian schools, pointed out that the schools served an important pacification role in our conquest of the West.

> * * * these establishments go further, in my opinion, towards securing our borders from bloodshed, and keeping peace among the Indians themselves, and attaching them to us, than would the physical force of our Army, if employed exclusively towards the accomplishment of those objectives.[12]

In his annual report of 1848, Commissioner W. Medill provides us with a disturbing insight into the prevailing atitudes of the times:

> Stolid and unyielding in his ways, and inveterately wedded to the savage habits, customs, and prejudices in which he has been reared and trained, it is seldom the case that the full blood Indian of our hemisphere can, in immediate juxtaposition with a white population, be brought farther within the pale of civilization than to adopt its vices; under the corrupting influences of which, too indolent to labor, and too weak to resist, he soon sinks into misery and despair. The inequality of his position in all that secures dignity and respect, is too glaring, and the contest he has to make with the superior race with which he is brought into contact * * * is too unequal to hope for a better result.
>
> While to all, the fate of the red man has, thus far, been alike unsatisfactory and painful, it has with many been a source of much misrepresentation and unjust national reproach. Apathy, barbarism, and heathenism must give way to energy, civilization, and Christianity; and so, the Indian of this continent has been attended with much less of oppression and injustice than has * * * been * * * believed. If, in the rapid spread of our population and sway, with all their advantages to ourselves and to others, injury has been inflicted upon the barbarous and heathen people we have displaced, are we as a nation to be held up to reproach for such a result.[13]

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[12] Annual report for 1826, Office of Indian Affairs, p. 508.

[13] Annual report for 1848, Bureau of Indian Affairs, p. 391 f.

Commissioner Medill's successor, Orlando Brown, appears to be more sanguine about the prospects for effective assimilation of the Indian. The weapons are to be the sword, the plow, and the primer.

> The dark clouds of ignorance and superstition in which these people have so long been enveloped, seem to be breaking away, and the light of Christianity and general knowledge to be dawning upon their moral and intellectual darkness. The measures to which we are principally indebted for the great and favorable change that has taken place are the concentration of the Indians within smaller districts of the country, where the game soon becomes scarce, and they are compelled to abandon the pursuit of the chase, and to resort to agriculture and other civilized pursuits; and the introduction of manual labor schools among them, for the education of their children in letters, agriculture, the mechanic arts, and the domestic economy. These institutions being in charge of missionary societies of various religious denominations, and conducted by intelligent and faithful persons of both sexes, selected with the concurrence of the Department, the Indian youth are also carefully instructed in the best of all knowledge, religious truth, their duty toward God, and their fellow beings.[14]

Commissioner L. Lea, the next in line, was the third Indian Commissioner in a row to announce a blatant policy of coercive assimilation:

> It is indispensably necessary that they (the Indians) be placed in positions where they can be controlled, and finally compelled, by stern necessity, to resort to agricultural labor or starve.[15]

Commissioner Lea advocated the expansion of the number of manual labor schools, as "efficient auxiliaries in imparting * * * a knowledge of letters, agriculture, and mechanic arts, and of advancing them in civilization and Christianity." He pointed out that a merely book-taught Indian will resume "the barbarism of his original condition" with nothing more to show for his education than a "more refined cunning, and a greater ability to concoct and perpetrate schemes of mischief and violence."[16]

It is only possible to understand the strident inhumanity and arrogance of such policy statements in the context of the frontier settler constituency to which the Federal Government was responding. For example, in the same year that Commissioner Lea was suggesting starvation as an assimilation tactic, a Kansas newspaper summarized the general feeling of the frontier toward Indians as follows:

> A set of the most miserable, dirty, lousy, blanketed, thieving, lying, sneaking, murdering, graceless, faithless, gut eating skunks, the Lord has ever permitted to infest the earth, and whose immediate and final extermination, all men except Indian agents and traders, should pray for.[17]

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[14] 1849 Report of the Commissioner of Indian Affairs, p. 21.
[15] 1850 Report of the Commissioner of Indian Affairs, p. 1.
[16] 1852 Report of the Commissioner of Indian Affairs, p. 6.
[17] Peter Farb, op. cit., p. 255.

The reality was often as brutal as the rhetoric. One historian has graphically described an extreme example of white settler attitudes and violence.

> In California, the gold rush attracted thousands who inundated the Indians in the northern and central parts of the State, obliterating their villages and overrunning their hunting and gathering grounds. Blown about like leaves in a storm, Indians struggled to survive. Their desperation turned some of them to robbery and pilfering of miners, and the whites, in retaliation, formed posses and massacred the natives guilty and innocent alike. In time, white attitudes hardened against the Indians so that no excuse was needed for hostility against them. The white population viewed Indians as vermin who had to be eliminated from the California scene. Indian children were murdered with the explanation that "nits breed lice." Indian women were raped, formed into concubinage, or slain without mercy. Many adult males were rounded up and employed as slave labor. Disease cut deeply into the Indian population also. It is estimated that as many as 70,000 Indians died from one cause or another in California during the decade 1849–59.[18]

As early as 1838, the educational policy of civilizing Indians through manual training in agriculture and the mechanic arts became established practice. At that time, 16 manual labor schools serving 800 students, and 87 boarding schools serving 2,873 students were in existence. It is also interesting to note that a large proportion of the expense for the operation of the schools came from Indian treaty funds and not Federal appropriations. During the 10-year period from 1845–55, more than $2 million was expended. Of this amount, only one-twentieth, or about $10,000 per year, came from Federal Government appropriations.[19]

During the later part of the treaty period, greater concern was expressed over the reluctance of Indian children to attend the white man's schools, and treaty provisions regarding compulsory attendance were developed. Treaties with the Sioux and Navajo in the 1860's provided for a school and a teacher for every 30 children who could be induced or compelled to attend.[20]

In 1871, the treaty period came to an end when Congress decreed that henceforth, "No Indian nation or tribe within * * * the United States shall be acknowledged or recognized as an independent nation, tribe, or power." This did not rescind, however, the obligations of the Federal Government under the nearly 400 established treaties.

3. ALLOTMENT PERIOD

In response to the demand for more land, the Homestead Act was passed in 1863, which opened up the Plains to the settlers. To facilitate the process, "encouragement was given to the slaughter of the big buffalo herds, the Indians principal source of food; with their meat gone, it was believed the tribes would be forced onto the reservations by the promise of rations." [21]

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[18] Alvin M. Josephy, Jr., "The Indian Heritage of America," Alfred A. Knopf, New York.

[19] Report of the Secretary of the Interior, Sen. Ex. Doc., No. 1, pt. 1, 34th Cong., first sess. (1855), p. 561.

[20] Peter Farb, op. cit., p. 25, 1968.

By 1885, the bison were virtually extinct, and many of the Plains Indians were starving. In addition, many Indian tribes were decimated by epidemics of smallpox, cholera, and other infectious diseases which were introduced by the U.S. Army and white settlers.[22]

By 1871, graft and corruption of the Indian reservation agencies had reached scandalous proportions. President Grant, under pressure from humanitarian reformers, initiated a new approach known as the peace policy. "Reservations were distributed among the major religious denominations, which, in an unprecedented delegation of power by the Federal Government to church bodies, were given the right to nominate new agents, and direct educational and other activities on the reservations." [23] The experiment was a failure that left deep scars on Indian communities and marked the denouement of the Government's policy of subsidizing religious groups to educate Indians.

The reformers had argued that the more benign methods of the missionaries would hasten the pacification and assimilation of the tribes. In actuality, "* * * many reservations had come under the authority of what amounted to stern missionary dictatorships whose fanatic zealousness had crushed Indian culture and institutions, suppressed religious and other liberties, and punished Indians for the least show of independence." [24] And, the military was frequently called in to reinforce the missionaries' orders.

In the last three decades of the 19th century, Indians fought with great ferocity in the final defense of their homeland and freedom. Tribe after tribe rose in rebellion, only to be crushed by the U.S. Army—the southern Plains tribes in 1874, the Sioux in 1876, the Nez Perce in 1877, the northern Cheyenne and Bannock in 1878, the Ute in 1879, and the Apache throughout much of the 1880's until Geronimo finally surrendered with his remnant band of 36 survivors.

"Anguished rebellions against the intolerable conditions on reservations gradually became fewer, and many Indians turned, instead, to making appeals for help from the supernatural. It was futile. The Ghost Dance, which promised the return of the buffalo and the disappearance of white men, spread from the Nevada Paiutes, where it had originated, to the Plains reservations. In 1890, it was crushed out sternly with the the murder of Sitting Bull and the massacre of a Sioux band at Wounded Knee, S. Dak. The episode marked the completion of the white man's conquest of the Indian in the United States." [25]

The basic approach of subsidizing various religious groups to operate schools for Indians did not come to an end until 1897. However, the Bureau of Indian Affairs started building its own educational system in the 1870's. The system was based on the "model" established by Gen. R. H. Pratt, who founded the Carlisle Indian School in Pennsylvania in 1879 in abandoned army barracks. The school was run in a rigid military fashion, with heavy emphasis on rustic vocational education. The goal was to provide a maximum of rapid coercive assimilation into white society. It was designed to separate a child from his reservation and family, strip him of his tribal lore and mores, force the complete abandonment of his native language, and prepare him in such a way that he would never return to his people. General Pratt utilized the "outing system" of placing children in good Christian homes during the summer so that they could not return to their families and suffer a relapse into tribal ways. The children were usually kept in boarding school for 8 years during which time they were not permitted to see their parents or relatives.[26]

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[21] Alvin M. Josephy, Jr., op. cit., p. 339.
[22] Peter Farb, op. cit., p. 255.
[23] Alvin Josephy, Jr., op. cit., p. 339.
[24] Ibid., p. 340.
[25] Ibid., p. 342.

Obviously, the process required severe discipline, and was deeply resented by parents, tribes, and children, who had absolutely no voice in its conduct. The Carlisle School set a model and pattern which was to dominate the Federal Government approach to Indian education for half a century until it came under devastating attack in the Meriam Report of 1928. Although the Carlisle School no longer exists, a number of off-reservation boarding schools established at that time are still in existence:

Haskell Indian School, Kansas, 1878.
Chemawa Indian School, Oregon, 1880.
Chilocco Indian School, Oklahoma, 1884.
Albuquerque Indian School, New Mexico, 1886.
Stewart Indian School, Nevada, 1890.

An act of Congress in 1882 facilitated the development of the Federal school system, by authorizing the use of abandoned Army posts or barracks. Most of these facilities were obviously inappropriate and inadequate at the time, and some have continued up to the present under severe physical handicaps.

For example, the subcommittee visited the Fort Apache Indian School in Whiteriver, Ariz., and the Fort Wingate Elementary School outside of Gallup, N. Mex. Both of these schools are converted Army posts with grossly inadequate physical facilities, dating back to the 19th century. It is nearly incredible to note that the Fort Wingate School, pointed out in the Meriam Report of 1928 as a particularly deficient facility, still continues to operate today as a Federal boarding school.

Kluckhohn and Leighton, in their classic study of the Navajo, have provided a description of the insidious nature of the Federal boarding school system and its impact on thousands of Navajo children:

> The guiding principle of early Indian education was that children must be fitted to enter white society when they left school and hence it was thought wise to remove them from home influences and often to take them as far away as California or even Pennsylvania in order to "civilize" them faster. The policy was really to go behind the existing social organization in order to dissolve it. No effort was made to prepare them for dealing effectively with Reservation conditions. Yet more than 95 percent of the Navajo children went home, rather than to white communities, after leaving

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[26] Peter Farb, op. cit., p. 257.

> school, only to find themselves handicapped for taking part in Navajo life because they did not know the techniques and customs of their own people * * *. The children were forbidden to speak their own languages, and military discipline prevailed. Pupils thus spent their childhood years under a mercilessly rigid system which could not offer the psychological advantages of family life in even the poorest Indian home.[27]

Although many changes have taken place, it is still possible to find examples of practices which approximate the approach of 70-years ago. A prominent anthropologist has reported an example based on recent field work by one of his graduate students. The report describes a boarding school on the Navajo Reservation, where, "Children are beaten, pervasive attacks are made against their cultural beliefs, classes start with the Lord's Prayer, and teachers advocate the free labor of Navajo girls in their homes, doing laundry, scrubbing floor et cetera, all done on students' after-school time, 'to teach them the American way of housekeeping.'"[28]

The counterpart of the educational policy whose objective was to "dissolve" the social organization of Indian life on the reservation was the Dawes Severalty Act of 1887, which was designed to "dissolve" the Indian land base. This legislation ushered in what is known as the "Allotment Period" in the history of Indian affairs, and was carried out with a missionary zeal and devastating impact until it was halted by the reform legislation of the New Deal. Ironically, the legislation was supported by humanitarian reformers who realized that although the Army could keep the Indians on the reservations, it could not keep the white settlers off. Thus, the act was seen as a means for securing part of the Indian land-base.

> The real aim of this bill is to get at the Indian lands and open them up to settlement. The provisions for the apparent benefit of the Indian are but the pretext to get at the lands and occupy them * * *. If this were done in the name of greed, it would be bad enough; but to do it in the name of humanity, and under the cloak of an ardent desire to promote the Indian's welfare by making him like ourselves, whether he will or not, is infinitely worse.[29]

President Grover Cleveland summed it all up in a terse comment following his signing of the Dawes Act:

> Hunger and thirst of the white man for Indians' land is almost equal to his hunger and thirst after righteousness.[30]

In 1948, the Hoover Commission's evaluation of the allotment policy stated the following:

> Two-thirds of Indian-owned land, including much of the best land, was alienated before the Allotment policy was

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[27] Clyde Kluckhohn and Dorothea Leighton, "The Navaho," Doubleday & Co., Inc., Garden City, N.Y., 1962, p. 141.

[28] Hearings, pt. 5, p. 2133.

[29] Fischbacher, "Monumental Treatise, a Study of the Role of the Federal Government in the Education of the American Indian," 1967, p. 231.

[30] Peter Farb, op. cit., p. 256.

> abandoned. If the 90 million acres lost through the process had remained in Indian ownership, the problem of poverty among most tribes could be solved with less difficulty and with more certainty today * * *.
>
> Giving a man a title to land, whether it be in trust, or a patent in fee, teaches him nothing. The rationalization behind this policy is so obviously false that it could not have prevailed for so long a time if not supported by the avid demand of others for Indian lands. This was a way of getting them, usually at bargain prices. The unalloted lands were declared surplus and sold, and the Indian in nearly all cases got his fee patent and sold his allotment.[31]

Senator Robert F. Kennedy, testifying before the Senate Indian Affairs Subcommittee on March 5, 1968, summarized its consequences:

> The Allotment Act succeeded in the period of the next 40 years in diminishing the Indian tribal economic base from 140 million acres to approximately 50 million acres of the least desirable land. Greed for Indian resources and intolerance of Indian cultures combined in one act to drive the American Indian into the depths of a poverty from which he has never recovered.

(The Bureau of Indian Affairs classified these remaining lands as 14 million acres critically eroded, 17 million acres severely eroded, and 25 million acres as slightly eroded.)[32]

No one apparently has made a thorough assessment of the impact of the Allotment Act on the Indian family or social structure, but it is fairly obvious that a net result was in many instances severe social disorganization and a malignant, hostile-dependency relationship with the Federal Government.

In 1901, Theodore Roosevelt sent a progress report to Congress:

> In my judgment, the time has arrived and we should definitely make up our minds to recognize the Indian as an individual and not as a member of a Tribe. The General Allotment Act is a mighty pulverizing engine to break up the Tribal mass. It acts directly upon the family and upon the individual * * * We should now break up the Tribal funds, doing for them what Allotment does for the Tribal lands; that is they should be divided into individual holdings.[33]

The interrelationship between the educational policy and the land policy of this period is obvious—coercive assimilation at any cost. It is interesting to note that, under section 5 of the Dawes Act, purchase money to be paid by the Federal Government for surplus lands not alloted to individual Indians was to be held in trust in the Treasury of the United States, and was to be "at all times subject to appropriation by Congress for the education and civilization of such tribe or tribes of Indians or the members thereof." Thus proceeds from the destruction of the Indian land base were to be used to pay the costs of taking Indian children from their homes and placing them in Federal boarding schools, a system designed to dissolve the Indian social structure.

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[31] S. Lyman Tyler, "Indian Affairs: A Work Paper on Termination: With an Attempt to Show Its Antecedents," Brigham Young University, Provo, Utah, 1964, p. 6.
[32] Peter Farb, op. cit., p. 257.
[33] S. Lyman Tyler, op. cit., p. 5.

Many Indian families resisted the assault of the Federal Government on their lives by simply refusing to send their children to school. Congress, desiring to break this resistance at any cost, passed legislation in 1893, which used the technique of starvation to enforce compulsory attendance:

> The Secretary of the Interior may in his discretion establish such regulations as will prevent the issuing of rations or the furnishing of subsistence either in money or in kind to the head of any Indian family for or on account of any Indian child between the ages of 8 and 21 years who shall not have attended school during the preceding year * * * .
>
> The Secretary of the Interior may, in his discretion, withhold rations, clothing, and other annuities from Indian parents or guardians who refuse or neglect to send and keep their children of proper school age in some school a reasonable portion of the year.[34]

Similar provisions are contained in other acts such as one applying to the Osage in 1913.

Despite the fact that Congress qualified the law forbidding agents from withholding rations to force parents to send their children outside of the State in which they resided, the practice continued. In the 1920's, it was brutally applied to the Navajo Reservation.

In 1919, both the Congress and the Board of Indian Commissioners inquired into the Navajo school situation and came up with some startling statistics. Of an estimated 9,613 Navajo children eligible for school, the Board of Indian Commissioners found that only 2,089 were actually attending school. These and similar investigations elsewhere culminated in 1920 in a campaign to educate the Indian in record time. The Secretary of the Interior was charged by law in 1920 "to make and enforce such rules and regulations as may be necessary to secure the enrollment and regular attendance of eligible Indian children who are wards of the Government." Indian parents who refused to comply with the new regulations were subject to fines and imprisonment.[35]

In 1920, the chairman of the House Indian Affairs Committee informed the Bureau of Indian Affairs that the desire of Congress was that every Indian boarding school in the country should be filled to capacity at all times, and where this could not be accomplished, it was his committee's intention to close those schools. (From this time on, Congress was to continuously raise the question as to whether or not all the seats were filled in Federal boarding schools, and educational appropriations were to be dependent upon having every school crammed as full as possible. This resulted in moving Indian children around the country to wherever the empty spaces were found.) This mandate from Congress forced the Bureau of Indian Affairs to take drastic actions in regard to the Navajo.[36]

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[34] 25 U.S.C. 348, Feb. 8, 1887, c. 119, No. 5, 24 Stat. 389.

[35] Act of Mar. 18, 1893, c. 209, No. 1, 27 Stat. 628, 635; 25 U.S.C. 283.

Driven by criticism to educate the Navajos quickly and yet hampered by the congressional reluctance to build the necessary schools, Commissioner Burke attempted to meet the situation by limiting the reservation boarding schools to the first three grades, transporting all Navajo children in and above the fourth grade to other nonreservation boarding schools throughout the West and Southwest. Each agent on the reservation received a quota which he had to fill. The methods used were both cruel and reprehensible. The Navajos themselves protested through their newly formed tribal council in 1924. They pointed out the U.S. statute which prohibited the Government from sending the children out of State without the voluntary consent of the parents. The statute had been blatantly violated and in many instances the children had been taken away from their homes by force. In addition, the loss of the children to the family had a severe economic effect, in that the children were not available at home to tend sheep.[37]

The House Appropriations Committee took no heed; fill up the schools, or the funds would be cut. The roundup of children continued.[38]

A well-established tactic for coping with grossly deficient appropriations was to reduce the cost of running a boarding school through the use of child labor. Despite the fact that there had been a great reduction in the average age of the children now attending boarding schools, the workloads were not materially reduced. Although the practice was protested by Indians and others, nothing was to be done about it until it was exposed by the Meriam report in 1928. The Meriam report was also to find that many boarding schools were enrolling substantially more students than could reasonably be accommodated.[39]

4. THE MERIAM REPORT AND THE NEW DEAL PERIOD

During the 1920's corruption, exploitation, mismanagement, and the general failure of our Indian programs became a national scandal, and enough pressure and general concern was generated to stimulate a prolonged Senate Indian Affairs Committee investigation which began in 1928 and lasted for 15 years. More important, the best critical survey ever conducted of Federal Indian programs was completed and published as the Meriam report of 1928. Both investigations called for sweeping changes and led to our Nation's most creative and innovative, but relatively short lived, period in Indian affairs. This new mandate resulted in the passage of the Indian Reorganization Act (1934) and the strong leadership of President Roosevelt, Secretary of the Interior Ickes, Commissioner of Indian Affairs John Collier, and the superb legal support by Felix Cohen and his staff in an ambitious effort to shape a "New Deal for American Indians." Despite the intellectual and initial political force of this reconstruction effort, both the ideas and the financial support had lost momentum or been undermined before World War II was brought to a close.

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[36] Lawrence C. Kelly, "The Navajo Indians and Federal Indian Policy," The University of Arizona Press, Tucson, Ariz., 1968, p. 173.

[37] Ibid., p. 174.

[38] Ibid., p. 176.

[39] Ibid., p. 179.

Probably the most significant investigation ever conducted in the field of Indian affairs was initiated in 1926 at the request of the Secretary of the Interior. The investigation was conducted by a review team commissioned through the Brookings Institution in Washington, D.C. (then known as the Institute for Government Research). It was directed by Lewis Meriam of the University of Chicago. The report was to be a comprehensive survey of social and economic conditions of the American Indian. The report was devastating in its criticism in two major areas which constituted the most serious deficiencies in Indian administration: The exclusion of Indians from the management of their own affairs, and the poor quality of services (especially health and education) rendered by public officials not responsible to the Indian people they served. It is striking, to say the least, that these are two major findings of the present subcommittee investigation.

One chapter of the Meriam report is devoted to education and many of its findings parallel the findings of this report. Completed over 4 years ago, many of the report recommendations are yet to be accomplished. The report was highly critical of boarding schools and called them grossly inadequate. Criticisms included overcrowded dormitories, deficient diets, inadequate medical facilities, and a daily schedule of work and study which was overly demanding. The curriculum was called unrealistic, classroom instruction techniques were found ineffective. Low teacher salaries were blamed for low educational standards. Staff personnel were considered inadequately trained.

The report said the most fundamental need in Indian affairs was a change in point of view. Although eventual assimilation should continue to be the goal of the Federal Government, this could best be accomplished by strengthening rather than destroying the Indian family and social structure. To accomplish this would require a radical reformulation of the Federal school program, which could only be done with more enlightened and competent personnel:

> * * * The surest way to achieve the change in point of view is to raise the qualifications of teachers and other employees. After all is said that can be said about the skill and devotion of some employees, the fact remains that the Government of the United States regularly takes into the instructional staff of its Indian schools teachers whose credentials would not be accepted in good public school systems * * *[40]

However, the report places considerable emphasis on the fact that even "good public schools" with traditional curriculums were not the answer, and should not send as the model for the Federal schools to emulate.

> A standard course of study, routine classroom methods, traditional types of schools, even if they were adequately supplied—and they are not—would not solve the problem. The methods of the average public school in the United States cannot safely be taken over bodily and applied to Indian education. Indian tribes and individual Indians within the tribes vary so much that a standard content and method of educa-

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[40] Meriam, "The Problem of Indian Administration," 1928, p. 346.

> tion, no matter how carefully they might be prepared, would be worse than futile.[41]

The report stressed repeatedly the need for a relevant instructional curriculum, adapted to the individual needs and background of the students, and the failure of the schools to take into consideration or adapt to the language of the child.

The report condemned the taking of children from their homes and placing them in off-reservation boarding schools, pointing out this was "at variance with modern views of education and social work, which regard home and family as essential institutions from which it is generally undesirable to uproot children." The report noted that the on-reservation boarding schools also had serious inadequacies: for example, they were overcrowded and poorly staffed. The report suggested that "ultimately most of the boarding schools as they are presently organized, should disappear." The report recommended that substantially improved day schools should replace boarding schools.[42]

Although emphasizing the eventual goal of educating Indians in the public schools, the report warned of the Government temptation "to save money and wash its hands of responsibility for the Indian child." The report explicitly stated a distrust for State supervision and the ability of States to meet the special needs of Indian pupils. It recommended that "Federal authorities retain sufficient professional direction to make sure the needs of the Indians are met." [43]

Community participation in the direction of the schools was strongly recommended by the report. The process should begin by enlisting the service of Indians on school committees in the day schools, as a gradual preparation for service on boards of education. The report foresaw the Government schools as models of educational excellence which could provide assistance and leadership to public schools. Forty years later that goal remains unrealized.[44]

The report also commented upon the need for furnishing adequate secondary schooling and scholarship and loan aids for Indian higher education; the need for educational specialists rather than administrators to direct education programs; and the expensive "habit" of using unsatisfactory abandoned Army forts as schools.

The Meriam report had a substantial impact. In 1929, the National Advisory Commission on Education was organized by the Secretary of the Interior acting for the President, and its report, published in 1931, added to the weight of the Meriam study.

John Collier became Commissioner of Indian Affairs under the Roosevelt administration on April 21, 1933, and held the office until succeeded by William Brophy in 1945.

In his first report as Commissioner, Collier made clear his intentions to carry out the recommendations of the Meriam report:

> The redistribution of educational opportunity for Indians, out of the concentrated boarding school, reaching the few, and into the day school, reaching the many, must be con-

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[41] Ibid.
[42] Ibid., p. 403.
[43] Ibid., p. 415.
[44] Ibid., p. 414.

> tinued and accelerated. The boarding schools which remain must be continued and accelerated. The boarding schools which remain must be specialized on lines of occupational need for children of the older groups, or of the need of some Indian children for institutional care. The day schools must be worked out on lines of community service, reaching the adult as well as the child, and influencing the health, the recreation, and the economic welfare of their local areas.

Working with his Director of Indian Education, Willard Beatty, Collier initiated a series of new approaches and innovations in a major effort to overhaul and remodel the Federal school system. Beatty remained Director of Indian Education after the resignation of Collier, until the Dillon Myers commissionership, beginning on May 8, 1950, when in Collier's view, "Under Myer's retrogressive policies, Beatty could not function, and he resigned * * *."[45]

Legislatively, the keystone of the Collier commissionership was the Indian Reorganization Act of June 18, 1934, which ended the allotment era begun in 1887 and was designed to further the Collier policies of:

> Economic rehabilitation of the Indians, principally on the land.
>
> Organization of the Indian tribes for managing their own affairs.
>
> Civil and cultural freedom and opportunity for the Indians.[46]

The act itself was unique in that it was submitted to and discussed with the various Indian tribes before being submitted to Congress, and when passed, became operative for any tribe only after the tribe itself had adopted the act by majority vote of its adult members.

Section 11 of the act authorized loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools and colleges. The IRA contemplated a progressive decrease of Federal involvement in Indian Affairs, and greater autonomy for tribal government, and has been called the "Indian Bill of Rights."

Under the leadership of Collier and Beatty, the BIA initiated efforts at bilingual education and adult basic education. Effort was made to recruit and train Indian teachers. Bilingual instruction and the publication of bilingual curriculum materials was initiated with illustrations by Indian artists. Bilingual motion pictures were developed, and courses in Indian languages instituted at the University of Oklahoma. An effort was made to bring the cultural heritage of the Indian child into the schools, and a number of special educational innovations, including leader training schools, special activity schools, nurses training schools, and health schools were attempted. Various inservice training programs to upgrade BIA teachers were instituted. A summary of these programs written in 1946, reported that:

> A decade of effort has brought extraordinary achievement * * * education and material gains have crystallized in beginnings that are promising in spite of adverse Congressional action.

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[45] Collier, "From Every Zenith," a memoir, p. 195.
[46] Collier, op. cit., p. 173.

> The perpetual reorientation of education for a decade, although a piecemeal procedure and at times a delaying one, has produced not only worthwhile but also permanent results. * * *
>
> In 1943, there were 265 Government schools with an enrollment of 34,000 * * *. From 1933 to 1943, there was a loss of 16 boarding schools and a gain of 84 day schools * * * enrollment had shifted from three-fourths in boarding schools in 1933 to two-thirds in day schools in 1943. * * *
>
> In the reservation boarding schools * * * the course of study is related closely to reservation economy in order to give the students a better understanding of local needs.
>
> There is no indication * * * that the boarding school can be wholly eliminated, nor is it desirable to do so as long as certain conditions in reservation life prevail * * * institutional labor still exists but not as the serious problem it once was. Some of the work is performed by unskilled labor, and some of it has been converted into profitable, cooperative enterprise with instructional significance. The maladjustment of the student placed in schools at a distance from his people has disappeared. All the schools are in or near an Indian environment, and instruction is designed to give the student a better understanding of his surroundings. * * *
>
> * * * Indian public school enrollment has been advocated for more than half a century. Naturally the public school system has influenced the Federal program of Indian education, and at times, adversely. There was a long period when the Government school imitated the public school so closely that it failed to meet Indian needs. Only recently has the relationship been balanced advantageously for the Indian.
>
> The provision of funds to maintain the Indian student in the public school, and the irrelevance of public school instruction to Indian requirements have been the chief difficulties * * *.
>
> The major criticism against the public school has been its failure to meet specific Indian needs, particularly with reference to language difficulties, vocational training, and economic adjustment.[47]

Unfortunately, lack of funds and what Collier called "retrogressive policies" during the late 1940's and 1950's undermined and reversed the experimental and innovative policies of the Collier-Beatty period. During the war years, the BIA was moved from Washington, D.C., to Chicago, and funds were drastically curtailed. Rather than close their day schools the Navajo communities took over a substantial part of the operation themselves.[48]

5. TERMINATION PERIOD

In 1937, following the completion of an extensive survey begun in 1928 by the Senate Indian Affairs Committee, six bills were introduced in Congress aimed at limiting the Indian Reorganization Act of 1934. Some of these opposed to the IRA were merely interested in the property reserved to the Indians, while others complained of communistic tendencies inherent in Indian culture.[49]

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[47] Adams, "American Indian Education," (1946), pp. 79–86.

[48] Lawrence C. Kelly, op. cit., p. 198.

Between 1937 and 1944 there was constant friction between Collier and the Senate and House Indian Affairs Committees. The friction reached a climax when in 1944, a select committee of the House made its recommendations on achieving "the final solution of the Indian problem * * *." Although the committee named education as the primary means of solving the "Indian problem," its ideas of education were diametrically opposite to those of Collier, and called for a return to the policies and practices which has been so thoroughly discredited by the Meriam report in 1928.[50]

It criticized "a tendency in many reservation day schools to adapt the education to the Indian and to his reservation way of life rather than to adapt the Indian to the habits and requirements he must develop to succeed as an independent citizen earning his own way off the reservation." [51]

It said that if "real progress" is to be made, Indian elementary school children must be taken from their homes and placed in off-reservation boarding schools:

> The Indian Bureau is tending to place too much emphasis on the day school located on the Indian reservation as compared with the opportunities afforded Indian children in off-the-reservation boarding schools where they can acquire an education in healthful and cultural surroundings without the handicaps of having to spend their out-of-school hours in tepees, in shacks with dirt floors and no windows, in tents, in wickiups, in hogans, or in surroundings where English is never spoken, where there is a complete lack of furniture, and where there is sometimes an active antagonism or an abysmal indifference to the virtues of education.[52]

The committee seemed to feel that the solution to the whole problem was in de-Indianizing the Indian:

> The goal of Indian education should be to make the Indian child a better American rather than to equip him simply to be a better Indian. The goal of our whole Indian program should be, in the opinion of your committee, to develop better Indian Americans rather than to perpetuate and develop better American Indians. The present Indian education program tends to operate too much in the direction of perpetuating the Indian as a special-status individual rather than preparing him for independent citizenship.[53]

In the same year as the report of the select committee was issued, 1944, "the Senate Indian Affairs Committee proposed a long range program for the gradual liquidation of the Bureau of Indian Affairs and the House began its own investigation of the BIA."[54]

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[49] S. Lyman Tyler, Indian Affairs, "A Workpaper on the Terminations: With an Attempt to Show its Antecedents," Brigham Young University, 1964, p. 22.

[50] Report of the Select Committee to Investigate Indian Affairs and Conditions, House Reports., pursuant to H.R. 166. "An Investigation to Determine Whether the Changed Status of the Indian Requires a Revision of the Laws and Regulations Affecting the American Indian," 1944, p. 11.

[51] Ibid.

[52] Ibid.

[53] Ibid.

In 1945, John Collier, after 12 years as Commissioner of Indian Affairs, resigned and was replaced by William A. Brophy, who, at the Senate hearings to confirm his nomination, was repeatedly required to assure the Senators that he would follow the policies of Congress.

In 1946, Congress reorganized its own procedures under the Legislative Reorganization Act, transferring to the Committee on Public Lands, later renamed the Committee on Interior and Insular Affairs, House and Senate jurisdiction pertaining to relations of the United States and Indians and Indian tribes, as well as consideration of measures relating to the care, education, and "management" of Indians.[55]

The Indian Claims Commission Act, introduced in its original form to Congress in 1930, was finally passed by the 79th Congress in 1946. The act created a commission to hear all Indian claims against the United States.

The select committee report in 1944 had endorsed the proposal with one dissenting vote, as a step toward termination. Thus, speaking of outstanding Indian claims, they reported:

> Their existence, however, serves to hold the Indian to his life on the reservation through fear that separation from the tribe might deprive him of his share of a settlement which he believes the Government may some day make.[56]

Of the prevailing congressional attitude, Tyler says:

> It is evident that one of the main reasons Congress was willing to consider it favorably was the fact that they saw it as a step in the preparation of the Indians for Federal withdrawal.[57]

Commissioner Brophy, in ill health, was unable to personally direct the activities of the BIA during the years 1947 and 1948, which were critical to the formation of the termination policy. The 80th Congress had committed itself to a pledge of reducing "big government" and cutting the costs of Government. In this interest, a demand was made of William Zimmerman, Jr., who became Acting Commissioner on June 3, 1948, when Commissioner Brophy retired, that he inform the Senate Civil Service Committee of what specific reductions of expenditure the Bureau might put in force immediately.

> When a direct reply was not instantly forthcoming, the Acting Commissioner was subpenaed by the committee and required to return on the following day with information and supporting documents to show what tribes could be removed at once from Government supervision and what amounts of money would be saved for each tribe so removed.[58]

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[54] Tyler, op. cit., p. 23.

[55] 60 Stat. 812. ESP. secs. 103, 136, 138–139 ; as report in "Handbook of Federal Indian Law," 1958 ed., p. 134.

[56] Select Committee to Investigate Indian Affairs and Conditions, op. cit., p. 6.

[57] S. Lyman Tyler, op. cit., p. 30.

[58] Fey and McNickle, "Indians and Other Americans," pp. 133–134.

Zimmerman set forth a four-part formula for measuring a tribe's readiness for withdrawal of Federal services:

> The first one was the degree of acculturation; the second, economic resources and condition of the tribe; third, the willingness of the tribe to be relieved of Federal control; and fourth, the willingness of the State to take over.[59]

Also in 1947, the Public Lands Committee of the 80th Congress "compelled" the Indian Bureau to give them a classification of tribes with target dates for "freedom from wardship."

> Lists of tribes under three categories were prepared; but deciding what tribes should go under which headings, once the obvious choices were made, was like a blindfolded man picking names out of a hat. The answers given to the Senate were tentative, and could not have been otherwise, without time to review the facts about each.
>
> The information supplied to the committee in this manner was used repeatedly in Congress as evidence that the time had come to terminate immediately Federal trusteeship for the tribes specified by the Acting Commissioner, and for all others at the earliest possible date. The attempt by the Acting Commissioner to suggest criteria as guides to congressional action was ignored * * *.[60]

By 1948, Congress had begun to cut funds requested by the BIA for education, apparently without regard for consequences to the Indian children, prompting Acting Commissioner Zimmerman to report:

> During 1948, the failure of Congress to appropriate the funds needed to meet the increased cost in commodities and the increased enrollment which followed the termination of the war, resulted in the elimination of 2,143 children from Federal boarding and day schools in the United States and in the closing of 18 day schools in Alaska serving 600 children.[61]

John R. Nichols became Commissioner of Indian Affairs on April 14, 1949. He pointed out Congress was as much to blame as the Bureau of Indian Affairs for the continuation of the "Indian problem," and that what was needed was "development" not "termination" of services:

> Problems of human adjustment do not solve themselves, not when the people seeking to make the adjustment are hampered by lack of education, poor health, and deficient resources. The expenditures which have been made over the years in behalf of our Indian people were not based on any long-term plan for the orderly solving of the problems they faced. Rather, the record indicates that these expenditures and the physical effort released by them have been sporadic, discontinuous and generally insufficient.

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[59] Tyler, op. cit., p. 31.
[60] Fey and McNickle, op. cit., p. 134.
[61] 1948, Report of the Commissioner of Indian Affairs, pp. 383-384.

> This record explains why today many Indian children of school age have no school rooms and no teachers to provide for their education; why many Indians are still without any kind of health care; why thousands of Indians are without any means of livelihood, either in the form of productive resources or marketable skills; why irrigable lands owned by the Indians lie undeveloped in the arid West; why countless Indian communities are without roads on which to travel to school, to hospital, to market * * *.[62]

The extent of the development effort needed was pointed up dramatically when a survey found that less than 50 percent of Navajo school age children were enrolled in school primarily because of a lack of facilities and teachers. In 1868, the Federal Government had signed a treaty with the Navajos which had pledged over a 10 year period to provide a teacher and a schoolroom for every 30 children. The Nation was aroused, and Congress was pressured to respond.

In May 1949, Congress appropriated $3,375,000 for the remodeling of an Army hospital near Brigham City, Utah, so that it could be used as a school for 2,000 Navajo children. In 1950, Congress passed the Navajo-Hopi Rehabilitation Act. Commissioner Nichols, pointed out that the act would provide facilities for only half of the 19,800 Indian children who are still without schools.[63]

Despite the perennial attention drawn to the Navajo problem, 13,000 Navajo children were still without schools in 1953 and Congress was pressed to take another emergency action. A plan was formulated in 1954, which provided for the construction of large elementary boarding schools on the reservation, increased enrollment in off-reservation boarding schools, and the establishment of Federal dormitory facilities in communities bordering the reservation, to get the children into public schools.

Navajo children were sent as far away as the Chemawa Boarding School in Oregon, and in turn displaced hundreds of Indian students from the Northwest who were rerouted to boarding schools in Oklahoma. This procedure was deeply resented by the Northwest tribes and was brought to the subcommittee's attention in its Portland hearings. The situation continues very much the same today. In the dormitory program, elementary school-age children have been sent as far as Albuquerque, N. Mex. Another example of this emergency response to long-standing "development" needs was the decision made in the late 1950's to send hundreds of Alaskan native children without schools to the Chemawa School in Oregon and the overflow to boarding schools in Oklahoma. Last year, more than 400 Alaskan natives were sent to the Chilocco Boarding School in Oklahoma.[64]

This lack of attention by Congress to the "development" needs of Indian communities has had two particularly tragic consequences on the Navajo reservation. Due to the crash construction program on the reservation and the massive deportation of Navajo students to off-reservation boarding schools throughout the Western part of the United States, the percentage of enrolled children increased from 52 percent in 1950 to a peak of 81 percent in 1955. After 1955, the percentage remained relatively constant and had even decreased by 1966.

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[62] 1949. Report of the Commissioner of Indian Affairs, pp. 338–341.
[63] 1949. Report of the Commissioner of Indian Affairs, p. 353.
[64] Subcommittee hearings, 1969, pt. 1, p. 588.

The subcommittee found in its hearings at Flagstaff, Ariz., that thousands (the estimates range from 4,000–8,000) of Navajo school-age children are still not in school.[65]

The subcommittee was told that not all of this was due to a lack of facilities. Many Navajo parents object to giving up their young children to the white-man's boarding school. The majority do so only because of their poverty and with deep misgivings. Because of the "crash" nature of the program and the desire to meet the tremendous needs most efficiently, it was decided to build large elementary boarding schools. Not only was this the least expensive way to do the job but it provided the added advantage of providing a controlled environment for carrying out a program designed to assimilate the children into the dominant society with little interference from the parent. There are presently over 7,000 Navajo children in 47 elementary boarding schools on the reservation who are 9 years of age or under.[66]

These schools have been severely criticized in subcommittee hearings as cruel and reprehensible and expert witnesses have established that they damage both the children and the Navajo family structure. This is a matter of great concern to the subcommittee and is examined in greater detail in a later section of this report.

The boarding school approach of the 1950's and continuing up to very recently with only modest alterations is a reversal and repudiation of the enlightened policies of the 1930's, and the important reform recommendations of the Meriam report. The educational counterpart to the termination policy which was rapidly emerging in the early 1950's was to be one of pushing Indian children into public schools as rapidly as possible and regardless of consequences, and the reestablishment of a forced assimilation approach in utilizing Federal boarding schools. In addition off-reservation boarding schools were increasingly to become a "dumping ground" for the large numbers of Indian students who had failed or been afiled by public schools.[67]

Commissioner Nichols' argument that Indian tribes and individuals needed "development" not "termination" went unheeded and after only 1 year of service, he was replaced by Mr. Dillon S. Myer, on May 8, 1950, Mr. Myer embraced the termination policy with enthusiasm and proceeded to lay the groundwork for carrying it out.

Termination was to be merely the latest installment of what had always been the dominant policy of the Federal Government—coercive assimilation of the American Indian. The goals were to get rid of Indians and Indian trust land once and for all by "terminating" Federal recognition and services and relocating Indians into cities off the reservations. (Dillon Myer had been in charge of the program in World War II which relocated thousands of Americans of Japanese descent.) The policy was viewed as a major catastrophe by the Indians, and to carry it out the BIA would have to deal with substantial Indian resistance. Felix S. Cohen has provided a well-documented critique of the "Erosion of Indian Rights, 1950–1953" in a Yale Law Journal article published in February 1953.

Mr. Cohen cites numerous examples of a coercive and manipulative bureaucracy. The following is a partial list which has been abstracted from his article:

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[65] Subcommittee hearings, 1968, pt. 3.
[66] Subcommittee hearings, 1968, pt. 1, p. 78.
[67] Subcommittee hearings, 1968, pt. 5.

1. By the use of Federal funds to influence Indian tribal elections and by the direct interference with local election arrangements.
2. By setting up regulations to control both the selection of attorneys by Indians and the activities of attorneys so selected. Mr. Cohen mentions 40 instances of such interference.
3. Penalizing Indian criticism of the BIA by impounding tribal credit funds.
4. By refusing to remove liquor restrictions unless the tribe would agree to abolish their tribal courts and police.
5. By closing down many hospitals and clinics on various Indians reservations to "encourage" Indians to move off the reservation.
6. By interfering in and disrupting Indian religious practices.
7. By supervising intimate details of an Indian's personal life and interfering in his recreational and business activities.
8. By implementing regulations which work toward decreasing Indian landholdings and by leasing Indian land and property without Indian consent.
9. By restricting the use of tribal income, tribal credit funds, and tribal property.
10. By issuing an order which gave local Bureau agents power to spend an adult Indian's income without his consent.
11. By testifying in opposition to every bill in Congress aimed at expanding Indian civil liberties—for example a bill to rescind a law which required Indians to secure approval from Government officials before selling their cattle.
12. By proposing legislation to authorize employees of the Indian Bureau to carry arms and to make arrests, searches, and seizures, without warrant, for violation of BIA regulations (despite strenuous efforts on the part of Mr. Myer the bill was defeated).
13. By proposing and supporting legislation which would reestablish the infamous "forced patent" system which had been the worst practice of the allotment period and usually ended with the Indian losing his land.
14. By proposing and supporting legislation which would unilaterally end tax exemption of Indian trust land.[68]

Mr. Cohen points out that Commissioner Myer devised a new "area office" system for programing termination activities at a regional level and stripping reservation superintendents of their powers. The "area offices" served to facilitate the "management" and manipulation of Indians; the avoidance of accountability to Indians; and made protest efforts or communication by Indians to responsible officials much more difficult. In the words of one expert, "policy regressed to the 19th century with startling speed, and with a vengence."[69]

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[68] Yale Law Journal, No. 3, February 1953.

[69] Nancy Lurie, "Current Anthropology, vol. 2, No. 5, December 1961, p. 480.

Another significant termination effort was launched in 1952. It was called the voluntary relocation program. Dr. Nancy Lurie has summarized this program as follows:

> The relocation program of 1952 was ostensibly designed to give order and system to an established activity and the term "voluntary" in the title was reassuring that Indians' wishes would be respected. But it soon became evident that the development of reservation resources lagged far behind the efforts devoted to relocation and that real alternatives were not being provided. Then relocation was not seen as voluntary but as forced by economic necessity. It soon became known as "Operation Relocation" and Indians expressed many and specific grievances about the whole program. A bright picture was painted of city life to entice Indians to leave home and when they got to the city they found themselves placed in the lowest paying, most menial work and located in the poorest housing. The jobs were often temporary and of a type adversely affected by the slightest dip in the national economic picture. Many Indians were left unemployed after a period of Indian Bureau responsibility for their employment had run out and before they had filled term-of-residence requirements to receive local forms of welfare. Skilled workers often did not have the money to keep up union dues so that when jobs were again available they had lost their eligibility. Relocatees were not adequately screened for ability to adjust to city life. The relocation program sought to place people in cities as far from their home communities as possible to discourage easy return and many Indians were left stranded and in desperate straits. Most important, whereas Indians view relocation, whether through their own efforts or under the Government program as a temporary measure to gain capital, knowledge, and skills to enable them to support themselves at home, the Indian Bureau viewed it as a sort of "final solution" to the Indian problem.[70]

By an act of August 3, 1956, (Public Law 84-959), Congress provided for an expanded program of vocational education for unemployed Indian adults. The act was designed primarily to strengthen and supplement the BIA "relocation program" which had been under heavy criticism. Many of the Indians who had been relocated, either returned "disillusioned" to the reservation, or ended up on urban welfare rolls or became part of a poverty-stricken urban underclass.[71]

In 1952, the BIA closed down all Federal schools in Idaho, Michigan, Washington, and Wisconsin, and loans to Indian students authorized in the Reorganization Act of 1934 were discontinued. In 1953, 19 Federal boarding and day schools were closed and enrollment of California Indian children in Federal schools was prohibited. Initial steps were taken to cut off Federal funds under the Johnson-O'Malley program for the "special needs" of Indian children, in public schools in California. This was accomplished several years later, and the California precedent, was used to support a similar withdrawal in Oregon.[72]

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[70] Ibid., pp. 480-481.

[71] Act of Aug. 3, 1956, c. 930, sec. 1; 70 Stat. 986, 25 U.S.C. 309.

In 1953, the legislative base for the "termination policy" was laid when Congress passed Public Law 280 and House Concurrent Resolution 108. "Public Law 280 transferred the Federal jurisdiction over law and order on certain Indian reservations to individual States. Only five States were involved but they had sizable Indian populations. The Indians protested, accurately predicting not only that problems of law and order would be aggravated (because the States would be unwilling to assume the cost of their new responsibilities for Indians living on tax-free lands) but also that agitation would begin for taxation of Indian lands.[73]

Under Public Law 280, States were given the right to "enact measures that could vitally change the character of the communities in which the Indians lived without any option on their part. A State could wipe out most tribal customs, reduce or destroy the family's traditional control, abolish customary or undocumented marriages and so make children illegitimate, change the inheritance laws, and apply a complicated criminal code to a simple people." The confusion and injustices stemming from this law are legion. According to the Kennedy task force of 1961, the transfer of law and order responsibilities from the Federal Government to the States often resulted in "inferior protection of life and property, denial of civil rights, and toleration of lawlessness.[74]

House Concurrent Resolution 108 called for the end of Federal supervision over Indians and making them subject

> * * * to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and grant them all of the rights and prerogatives pertaining to American citizenship * * *.[75]

The resolution failed to mention the fact that Indians were already citizens by virtue of congressional action in 1924, and that unless specially exempted by treaty agreement, statute, or Federal regulation. they paid State and Federal taxes. Fey and McNickle in their recent book *Indians and Other Americans*, described the resolution as "inaccurate and wholly misleading" and as completing "the repudiation and abandonment of the considerable 25-year effort to humanize and bring technical skills to the field of Indian affairs." To many Indians, the resolution implied the renunciation of all Federal Indian treaties, and the complete abdication by the Government of its responsibilities to the Indian community.[76]

Little time was wasted in implementing the policy. In 1954 10 termination bills were introduced, with six of them passing. In 1956, Congress passed bills terminating Federal supervision over three separate Oklahoma tribes on successive days. The termination period was brought to a partial halt on September 18, 1958, when Secretary of the Interior Fred A. Seaton announced in a speech at Flagstaff, Ariz., that no tribe henceforth would be terminated without its consent.

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[72] Fischbacher, op. cit., p. 381.

[73] Nancy Lurie, op. cit., p. 480.

[74] "The Indian. America's Unfinished Business," compiled by William A. Brophy and Sophie D. Aberle; 1966, University of Oklahoma Press, p. 182.

[75] 67 Stat. 132.

[76] Fey and McNickle, op. cit., pp. 186–137.

Unfortunately, as the Fund for the Republic, report pointed out

> From the date of Seaton's speech until 1961, confusion has existed, the Secretary seeming to espouse one policy and the BIA another. All the time, moreover, H. Con. Res. 108, stating the policy of Congress, has been in effect.[77]

The Emergence of a "New Policy"—The 1960's

In his recent paper, "The American Indian and the Bureau of Indian Affairs—1969,"[1] Mr. Alvin M. Josephy, Jr., has provided an excellent summary of the effects of the termination policy of the 1950's.

> In 1961, when President John F. Kennedy's Administration took office, the Indians of the United States were confused, disoriented, and filled with anxiety and worry. Considerable progress had been made under the enlightened Indian Reorganization Act of 1934, which, bringing to an end the long and Indian-impoverishing allotment policy, encouraged tribal self-government, extended a minimum of financial credit to the tribes, commenced an improvement in the Indian's economies, and educational and health facilities, restored certain freedoms to the Indians, and promoted a revival of their cultures and therefore, of pride in themselves. In 1953, with the passage of House Concurrent Res. 108 by the 83rd Congress an attempt to hasten Indian assimilation by declaring Congress' intent to terminate federal relations with the tribes at the earliest possible date—its progress had been sharply halted. Several tribes were hastily and ill-advisedly "terminated" and plunged close to economic and social chaos. Policies and programs within the Bureau of Indian Affairs were halted, reversed, or redesigned to hasten the tribes to termination. All tribes felt the threat and became immobilized; ready or not, they faced the prospect of being turned over to the states, most, if not all, of which could not or would not assume the services, protective responsibilities and other obligations, which the federal government had originally assumed by treaties and various agreements in the past which the tribes still urgently required.[1]

In addition, under Public Law 280, states were given the right to "enact measures that could vitally change the character of the communities in which the Indians lived without any option on their part. A state could wipe out most tribal customs, reduce or destroy the family's traditional control, abolish customary or undocumented marriages and so make children illegitimate, change the inheritance laws, and apply a complicated criminal code to a simple people."[2] The confusion and injustices stemming from this law are legion. According to the Kennedy Task Force of 1961, the transfer of law and order responsibilities from the federal government to the states often resulted in "inferior protection of life and property, denial of civil rights, and toleration of lawlessness."[3]

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[77] Brophy and Aberle, op. cit., p. 78.

[1] *The American Indian and the Bureau of Indian Affairs—1969:* A Study, with Recommendations, by Alvin M. Josephy, Jr., Feb. 11, 1969.

[2] *The Indian, America's Unfinished Business*, compiled by William A. Brophy and Sophie D. Aberle; published 1966, University of Oklahoma Press, p. 184.

The legacy of the 1950's was to be what Josephy has called a "termination psychosis", a basic and all-pervading suspicion of government motives in regard to all new policies and programs for the American Indian in the 1960's. In 1967, a White House Task Force on Indian Affairs found that, "to a considerable extent, the termination issue poisons every aspect of Indian Affairs today. The issue of termination is a major psychological barrier to Indian socio-economic development."[4]

In essence, the termination policy said to the Indian tribes, if you demonstrate economic progress you will be punished for it by means of premature withdrawal of Federal services. Clearly this was a self-defeating policy as well as unjust.

Although the termination policy as it was carried out in the 1950's, had been temporarily blocked, it continued to be a strong expression of Congressional intent. Indian spokesmen point out that it is a common practice to attach termination clauses to judgment distribution bills which stem from awards made by the Indian Claims Commission. Perhaps a more obvious example of the continued persistence on the part of Congress to press for the continuation of termination action are the confirmation hearings of two Commissioners of Indian Affairs in the 1960's. It is clear from the record, and from a cursory reading of the reports regarding the appointment of Mr. Robert Bennett by President Johnson, and of Mr. Philleo Nash by President Kennedy, that they were expected to carry forward the termination policies and activities of the 1950's.[5]

Thus, the first important action of the 1960's, would be to formulate a new policy framework which would first serve as a reason for reversing and rejecting the termination policy of the 1950's; and secondly, work towards a clarification of an eiightened Indian policy for the new administration.

FUND FOR THE REPUBLIC REPORT

Formal reaction to the policy and practices of termination began as early as March, 1957, when the Commission on Rights, Liberties and Responsibilitites of the American Indian was established by the Fund for the Republic. In addition to documenting the failures of that approach to Indian Affairs, it sought to establish an up-to-date analysis of Indian needs.

A preliminary report was not forthcoming until January, 1961. The report, which was to be later published as a book entitled "The Indian: America's Unfinished Business" was reminiscent of the Meriam report. It focused attention on the injustices of termination policy, the paternalistic attitudes and practices of the BIA, and the inadequacies of services provided to Indians. Unfortunately, the Report was basically conciliatory in tone and did not provide a blueprint for reform as the Meriam Report had done in 1928.

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[3] *Ibid.*, p. 131.

[4] *Ibid.*, p. 5

[5] Report of the Committee on Interior and Insular Affairs on the Nomination of Robert LaFollette Bennett to be Commissioner of Indian Affairs, Exec. Rept. No. 1, 89th Cong., 2nd Sess., 1966, p. 4–5.

Nevertheless, it argued for increased Indian determination of and involvement in, programs affecting their lives. The criticism of the quality of Indian education was not confined to BIA schools: it extended to public schools serving Indians as well. In commenting on the experience of Klamath Indians in Oregon public schools, the report observed: "Apparently, 27 years is not enough time in which to bring Indian children up to the public school norms where the curricula are designed for the white-collar stratum of society." And further, that "If the educational level of the Indian child's parents are such that he begins school without handicaps, then obviously the public school is his best choice." However, this was rarely the case for most Indian children. A good number of them were found to be doing very poorly in public schools.[6]

Administration of the BIA "education program" was far from adequate according to the Report. "It observed that 'The Washington BIA Department of Education has only staff authority, and the lack of administrative centralization is apparent in every part of the system. No coordination exists between the Washington office and the field, nor is there intercommunication between the area offices themselves.' The Report points out that because of the incompleteness of records in Bureau schools, it is impossible for the Washington staff or anyone else to carry out a meaningful evaluation of the quality of educational programs in federal schools." [7]

Another finding was that the Bureau did not carry out its statutory responsibility to Indians in public schools.

> In no case should public schools attended by Indians be required (or permitted) to lower their standards. In making arrangements for attendance of tribal Indians at public schools, the federal government, in fulfillment of its obligations, should require that adequate standards be maintained. If standards drop, the federal government should no longer allocate money to the school.[8]

It is interesting to compare this recommendation with a similar one in a consultant report prepared for the Subcommittee by Dr. Leon Osview.

Dr. Osview states:

> I was shocked to find that BIA does not, apparently as a matter of policy, engage in any *programmatic* cooperation with public school people, of whose desire and willingness to do justice to their Indian students there can be no doubt. BIA knows about Indian children, of if they don't, they should. Public schools don't, and can't really be expected to, on their own.[9]

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[6] Brophy and Aberle, *Op. Cit.*, p. 140.
[7] *Ibid.*, p. 155.
[8] *Ibid.*, p. 157.
[9] Subcommittee hearings, 1969, pt. 1, p. 296.

Apparently little progress has been made in the last nine years.

The record recommends that teachers in federal schools should have a work year equilavent in length to that customary in public schools. This has yet to be accomplished. The report points out that a strong parent-teacher relationship should be developed and community schools reestablished. This is barely beginning to be accomplished. The report recommends adequate scholarships, grants, and loans, be provided for Indians in need of such aid. There is still a serious inadequacy in the amount of funds available for these purposes.

With respect to upgrading the quality of instruction received Indian students, the report stated:

> The schools—federal, public, and private—which Indians attend, should have the best curricula, the best programs, the best teaching methods, and guidance, employed in educating white students, with all these factors being modified and augmented to meet the special requirements of Indian students.[10]

Based on the findings of this Subcommittee as reported, it is clear that accomplishment of these goals has not yet been achieved.

DECLARATION OF INDIAN PURPOSE

The Fund for the Republic Report was published in January, 1961. In June of 1961, an important two week conference was held at the University of Chicago, which brought together 420 Indian leaders of 67 different tribes. Again, the task at hand was clearly a repudiation of the termination policy of the 1950's, and a desire to assist the new Administration with the formulation of a more enlightened policy and programs. Moreover, the Conference was to serve as a forum for what the individual Indian desired for their programs, as well as expression of their desire to play a decisive role in the planning of such programs. Although the Conference published a forceful and eloquent statement entitled "A Declaration of Indian Purpose," it went unheeded by the Bureau of Indian Affairs.

According to Mr. Josephy, "The long report emanating from this Conference paralleled many of the programmatic proposals that were to come out of the Udall Task Force Report. Its relevancy today, like that of the Fund for the Republic Report, lies in its approaches to what the Indian should be allowed to do for himself, but it goes further than the Fund Report by stating more specifically how the Indian would like things to happen."[11] It was clear that the Indians felt that a reorganization of the Bureau of Indian Affairs was necessary if old policies were to be reversed, greater Indian participation and control was to be achieved, and new, aggressive, and imaginative programs were to be initiated. It was also clear that the Indians wanted to play an important role in determining how the Bureau of Indian Affairs should be reorganized.

The organization of the Bureau of Indian Affairs stemmed from an organizational pattern that had been designed and implemented in 1953, following a "Bimson Survey." It had been designed for the purpose of unilateral management of Indians and to facilitate the termination of federal services. Nevertheless, the Fund Report recommendations for organizational change were relatively innocuous. The "Declaration of Indian Purpose" is considerably more specific. It stated:

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[10] Brophy and Aberle, *Op. Cit.*, p. 156.
[11] Josephy, *Op. Cit.*, pp. 33–34.

> Basic principle involves a desire on the part of Indians to participate in developing their own programs with help and guidance as needed and requested, from a local, decentralized, technical, and administrative staff, preferably located conveniently for the people it serves. Also in recent years, certain technical and professional people of Indian descent, are becoming better qualified and available to work with and for their own people in determining their own programs and needs. The Indians as responsible individual citizens, as responsible tribal representatives, and as responsible tribal counsels, want to participate, want to contribute to their own personal and tribal improvements, and want to cooperate with their government in how best to solve the many problems in a business like, efficient, and economical manner as rapidly as possible.[12]

The Declaration called for a program of fairly radical decentralization. It asked that the position of Reservation Superintendent be strengthened to permit far broader exercise of responsibility and authority to act on significant and important matters of daily operations in Indian problems. It also suggested that the position qualifications require the employment of superintendents with courage and determination, among other qualities, to help with local problems and be willing to make, without further referral to higher levels, decisions commensurate with the delegated authorities. It also stated that "The Superintendent should be charged with the responsibilities of cooperating with the local tribal governing bodies in developing the federal program and budget for that particular tribe or reservation."[13] It also recommended that an advisory board to the Secretary of Interior be established (the appointments to be made by the President) and that one-half of the members of such an advisory board should be of Indian descent.

The Declaration stated further that "We believe that where programs have failed in the past, the reasons were lack of Indian understanding, planning, participation, and approval."[14] Each reservation should be responsible for preparing in detail its own resource and human development plans, and "requests for annual appropriations of funds be based on these statements and requirements, and adequate for carrying into effect these individual development plans."[15] It suggests that this should be similar in operation to a "Point IV" Plan. Unfortunately, as Mr. Josephy pointed out, the philosophy inherent in these recommendations, made little or no impact on the members of the Udall Task Force, which had begun its work earlier that Spring, and in addition has had little or no impact on Indian policy. Mr. Josephy continued, "It can never have impact as long as attitudes prevail, in the Department of Interior, the Bureau of the Budget, and the Congress, that Indians are not mature enough to be allowed to play decisive roles in managing their own affairs."[16]

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[12] *Ibid.*, p. 34.
[13] *Ibid.*, p. 35.
[14] *Ibid.*, p. 35
[15] *Ibid.*, p. 36.

UDALL TASK FORCE REPORT

Between publication of the Fund for the Republic Report in January, 1961, and the Indian Conference at the University of Chicago in June, the Kennedy Administration was beginning to develop its plans for Indian affairs. According to Mr. Josephy, "When the Kennedy Administration entered office with a burst of vigor and a state of fresh ideas, characterized by such "New Frontier" concepts as the Peace Corps and the Alliance for Progress, it conveyed to the American Indians its intention that they, too, would be the recipients of new and dynamic thinking and action which would strive to solve problems that had long defied solution. The first job was to conduct a thorough study of the status of Indian Affairs, and for this the Secretary of the Interior appointed a Task Force."[17] (Two of the members of the Task Force were to become ranking officers of the Bureau of Indian Affairs following its completion). According to Mr. Josephy, "In a preliminary meeting on February 9, 1961, with members of the Task Force and various officials of the Interior Department, Udall stated that his goal was, "an administrative reorganization and policy reorganization of the Indian Bureau."[18]

"The Task Force held hearings among Indian groups through-out the country, studied the Bureau, conferred with numerous Indian interests and organizations, religious groups, members of Congressional committees and their staffs, Bureau of the Budget, tribal attorneys, private groups and individuals, members of bureaus within the Department of Interior and other government agencies, and on July 10, 1961, submitted its report, with recommendations, to the Secretary. By the time that it was published, it was neither fresh nor hard-hitting, and in fact, it was something of an anti-climax."[19]

Perhaps one of the reasons for the limitations of the report is reflected in Secretary Udall's statement at the February 9 meeting. He told the Task Force members that "while they should test their thinking against the thinking of the wisest Indians and their friends, this does not mean that we are going to let, as someone put it, the Indian people themselves decide what the policy should be."[20] According to Mr. Josephy, "The principal recommendations in the Task Force's Report when it was submitted on July 10, 1961, pertained to policies and programs for the Indians, rather than psychotherapy for an ailing BIA, and reflected a cautious groping away from the termination period."[21] Its main thrust was that the Bureau of Indian Affairs should shift its emphasis from termination to primarily economic development. The basic assumption underlying this redirection of policy was that Indians constituted a "special case of rural poverty." The primary emphasis of the new Commissioner of Indian Affairs was thus to be on efforts at accomplishing economic development on Indian reservations.

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[16] *Ibid.*, p. 36.
[17] *Ibid.*, pp. 17-18.
[18] *Ibid.*, p. 18.
[19] *Ibid.*, p. 18.
[20] *Ibid.*, p. 21.
[21] *Ibid.*, p. 22.

In education, the Task Force Report did not provide a penetrating or thorough critique of the inadequacies of federal educational programs for Indians. It suggested instead that an independent evaluation should be conducted with the assistance of the BIA. In addition, the Report recommends the following:

(1) The Task Force of 1961 favored the location of schools as close as possible to the Indian people.

(2) The Task Force recommended that special summer sessions for Indian students planning to enter college be instituted, and that counseling services for Indian students should be instituted for all levels.

(3) The Task Force indicated that the Bureau needs more funds for scholarships and that more of these should be fully sustaining.

(4) The Task Force indicated its disfavor with the practice of placing in boarding schools many Indian youngsters who need institutional care.

(5) The Task Force said the Bureau should give serious consideration to using school facilities in a year-round basis with some system of rotation by semesters and/or accelerated programs to permit Indian youngsters to complete their primary and secondary education in fewer than 12 years.

(6) The Task Force also indicated along this line that school facilities should be used during the summer months to help Indian children make up educational deficiencies and to assist them with using their leisure constructively, that there is a need for organized recreational and educational activities for Indian boys and girls during the summer months.

(7) The Task Force favored the establishment of public school districts on Indian reservations and the ultimate transfer of BIA responsibilities to these districts; that the districts having inadequate tax base for a sound school program should be assisted by the Federal Government; and that any school plans transferred to districts should be in good condition.

(8) The Task Force recommended that the Federal Government must improve the school physical plants and construct new school buildings as well as improving the roads used by school buses.

(9) The Task Force recommended that the Bureau must make a greater effort to involve Indian parents in school planning and to give the parents of youngsters attending school more opportunity to participate in the formulation of the school programs, with the establishment as rapidly as possible of parent-teacher groups where these had not already been formed.

(10) The Task Force recommended that the children or Government employees attend Federal schools on Indian reservations in an integrated manner with Indian youngsters.

(11) The Task Force recommended that the Bureau make a special effort to keep abreast of the latest developments in language training and instruction and carry on inservice training programs to be conducted in conjunction with the universities and colleges located nearby to meet this responsibility.

Mr. Josephy has summarized the import of these recommendations as follows:

> In the field of Indian education, the Task Force recommended a wide range of new activities and changed practices, from increased funds for scholarships to the encouragement of Indian parent participation in the formulation of school programs. But Indian education was scandalous in 1961 (and still is), and the Task Force failed entirely to note that fact or come to grips with fundamental problems that would impede or make impossible many of the proposals it advanced. Most of its recommendations had a fine ring to them and would be repeated in successive studies throughout the eight years, but with Indian education relegated to a subordinate branch within the Bureau, as it was until mid-1966, and without a single professional educator in the branch, the Task Force's recommendations were hollow and would depend for their implementation on the personal interest and intercession of the Commissioner. Little that was meaningful came of the Task Force's educational recommendations.[22]

The Report was disappointing. It constituted at least a partial repudiation of the termination policy of the '50's, but it seemed to sugggest that termination was merely something to be delayed over a period of time until the Indian was perhaps more ready for it. Similar to the Declaration of Indian purpose, the Task Force recommended a 15-member Indian Affairs Advisory Board to the Secretary of the Interior. Nothing came of this proposal.

The Task Force did comment on the organizational inadequacies of the Bureau of Indian Affairs, but did not come to grips with the basic issues. The Report pointed out that, based on everything they could learn from talking with people in the field, the Bureau was a terribly slow and inefficient bureaucracy, penetrated throughout with administrative delay and poor communications between the field and central office. A major cause of this serious breakdown in communication was the "substantial layering" of the Department. The Report states, "The most frequency heard complaint about the administration of Indian Affairs related to the 'area offices' * * * Critics of the area offices seek their abolition on the ground that they interpose a barrier between the Indian and the Department in Washington, and they take away power and authority from the Superintendent."[23] Nevertheless, the Report indicated that the abolition of the area offices would be impractical and would lead to "poor management." The report simply suggested that there should be better delegation of responsibility from the area offices to the Reservation Superintendents.

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[22] *Ibid.*, p. 24.
[23] *Ibid.*, p. 26.

Mr. Josephy has summarized the outcome of the Report by stating:

> As a whole, the Task Force Report paved the way for a policy reorganization of federal-Indian relations (away from termination-mindedness and toward economic development), but did not prepare the ground for the second point that Udall had mentioned to the Task Force members on February 9, 1961, namely an administrative reorganization. As a result, from 1961 to 1965, the Bureau did shift its policy direction, and did adopt and begin to implement a number of important programs designed for the economic and community development of the Indian people, but it did almost nothing to refashion the Bureau into an effective instrument for carrying out the new policy and programs. Frustrations and delays continued, and even increased, and Indian chafing and restlessness became more pronounced.[24]

Three major efforts and documents came out of the Spring of 1961, which attempted to define a new policy for Indian Affairs in the 1960's. Unfortunately, unlike the Meriam Report of 1928, all three efforts were too preoccupied with rejecting the termination policy of the past, and consequently lack a clear and thorough-going vision of the future. Of the three, the Udall Task Force Report is probably the most disappointing. It provided a laundry list of items in various functions where the Bureau of Indian Affairs could improve its services. Despite their mandate to clearly think out a reorganization plan for the Bureau of Indian Affairs, they failed to come to grips with this issue, although they do note numerous and serious complaints made by Indians in the course of their field study, and by other informed people. More importantly the Task Force Report did not give voice to Indian needs, aspirations, and desires. This is clearly evidenced by the force and eloquence of the 'Declaration of Indian Purposes,' in contrast with the Task Force Reports. Apparently, the Task Force Report did not listen to or pay any attention to the University of Chicago Conference of Indian leaders. One thing clearly does emerge from the Task Force Report, and that is the expression that the major new focus of concern and initiative for the "New Frontier" should lie in the area of economic development on reservations. Unfortunately, there were no strong or original new ideas about how this could be accomplished.

The Fund for the Republic Report is important because of its much clearer statement of the serious inadequacies of both public and federal educational programs for Indians. It points out that the failures of the past have been serious, and that education must become a priority in the 1960's. In addition, it clearly states that the new standard for federal schools must be excellence in every respect. Federal schools must serve as examples of the best practice, and must provide leadership for the improvement of public school education for Indians. The Report notes that the Johnson-O'Malley program, administered by the Bureau of Indian Affairs, has not been used in a meaningful way to improve public school education for Indians, and that this must change.

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[24] *Ibid.*, p. 30.

In addition, the Fund for the Republic Report provides a fairly strong argument for substantially increased Indian control, a rejection of the bureaucratic paternalism, which it finds to be a serious problem, and an expression that the Bureau of Indian Affairs *must* be remodeled in such a way that it can become responsive to the needs, desires, and self-determination of Indian communities. Unfortunately, the Report did not provide an explanation or a plan for how this can be accomplished.

The most interesting and eloquent of the three documents which contains at least a partial vision of what should come in the 1960's, and equally important, contains the nucleus of a plan of action for accomplishing that vision, was the Declaration of Indian Purposes. Far more than either of the other two documents, the 400 tribal leaders point out in their report that if the new vision is to be achieved and Indian self-determination to be meaningfully accomplished, a thorough-going reorganization of the Bureau of Indian Affairs will be necessary. It also suggests that Indians play an important role in determining how the BIA should be reorganized.

The contributions of the first half of the 1960's in the area of improving education for Indians were rather disappointing. Nevertheless, some new initiatives were taken and some progress was made. Emphasis was placed on school construction, for example, and some 40 projects accommodating 2,786 students were initiated, during FY 1962. In addition, summer programs for Indian students were expanded threefold. The construction effort continued its momentum into the next fiscal year with 38 additional projects. Much of the impetus for the construction program came from the revelation in the Commissioner's Report of 1961, that of the 9,000 Indian children of school age who were not in school, almost 5,000 were not enrolled because of a lack of classroom space. Thus, neglect due to the termination policies of the 1950's was being reversed.

Some effort was made to increase the educational budget of the Bureau of Indian Affairs, but it was not totally successful. An examination of budget increases between 1958 and 1966, taking into consideration inflationary factors, reveals that little progress was made. In fact, real dollars to be expended per student were less in 1966 than they were in 1958. In terms of imaginative new programs, there were not many examples. However two can be mentioned.

The Bureau opened two new special schools in Fiscal 1963, aimed at doing a better job of meeting the special needs of Indian students. First, the Institute of American Indian Arts was opened in Santa Fe, New Mexico. (Actually, it was superimposed on an old BIA boarding school which imposed serious constraints on its effective development). The Institute was designed to provide an academic program with special emphasis on the vocational implications of the fine and applied arts, particularly as they related to the cultural background and heritage of the American Indian. Secondly, a special demonstration school was opened at Concho, Oklahoma, which was to be concerned with finding new solutions to the drop-out problem and developing new programs in the area of special education. Unfortunately, neither of these schools was conceptualized in a way that could provide leadership for making improvements throughout the Bureau school system. In effect they have had little impact except as isolated endeavors.

In 1963, the Vocational Education Act was passed by the Congress. Unfortunately, the Bureau of Indian Affairs did not qualify under the Act. This was probably more a matter of oversight on the part of Congress, and inattention and neglect on the part of the Bureau of Indian Affairs, than it was one of purposeful exclusion. Nevertheless, Bureau of Indian Affairs schools could have benefitted tremendously from provisions under the Vocational Education Act. In 1969, the Bureau of Indian Affairs is still not included under the Vocational Education Act, although the legislative proposal has been made.

Mr. Josephy has summarized the period of the early '60's as follows: "Together with the fear of termination, the frustrations of the Indians' desires (as set forth in the Chicago Declaration of 1961) underlay Indian Affairs during the Kennedy Administration. In May 1964, several hundred Indian leaders, assembled in Washington for a Capital Conference on Indian Poverty, again spelled out their demands that frustrations at the reservation level cease, and that Indians be given a decision-making role in their own programs."[25] Finally, the Indians had found a receptive audience, and important new initiatives were to come out of the Econome Opportunity Act of 1965.

A NEW COMMISSIONER

In 1965–66, the BIA went through a protracted change in leadership and an attempt at self-examination. Not only were Indians disappointed with the accomplishments of the first four years of the 1960's, but so also were Secretary Udall and the Congress. As a consequence, Commissioner of Indian Affairs Philleo Nash resigned, and after a period of considerable confusion and delay, a new Commissioner, Robert Bennett, was appointed. Noteworthy is the fact that Mr. Bennett was an Indian, and the first Indian to serve as Commissioner of Indian Affairs in the 20th Century. It is also noteworthy that Mr. Bennett came from thirty years of experience as an employee of the Bureau of Indian Affairs. Perhaps, as a consequence of that fact, as Mr. Josephy points out, "The self-examination of the Bureau which was directed by the new Commissioner Mr. Robert Bennett was informal and superficial."[26] Not much was to come of that reexamination of the Bureau other than a new rhetoric of self-determination for Indians, but little organizational change. Three years later, with another change of administration, the new Commissioner Mr. Bennett would leave his office almost as ignominiously as Philleo Nash had left it in 1965, and with equally strong feelings of frustration.

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[25] Ibid., p. 37.
[26] *Ibid.*, p. 38.

LANDMARK LEGISLATION

Two important pieces of landmark legislation were passed in 1965, which had important implications for the conduct of Indian Affairs in the second half of the 1960's. As usual, the initiatives were to come from outside the Bureau of Indian Affairs, which has proven to be the case throughout the 1960's. The Economic Opportunity Act provided for a number of new programs which had important benefits for Indian Education. Head Start provided the first meaningful effort to provide significant early childhood educational experiences for Indian children. In 1968, about 10,000 Indian children benefitted from Head Start programs. On the Navajo Reservation alone, the Tribe operated over 115 different Head Start programs throughout the reservation. No program has been greeted with greater enthusiasm, rapport, and support, by the Indian community. No program has permitted greater participation and control on the part of Indians. No program has demonstrated greater imagination in coming to terms with the educational disadvantages of Indian children. The results have been substantial and significant.

The Upward Bound program, initiated by the Office of Economic Opportunity, has benefitted a substantial number of Indian students who would probably not have gone on to college or been able to succeed in college without its assistance. The Job Corps program reached a number of Indian youth who were without it, dropouts, rejects, and probably welfare cases to be. Several Job Corps camps were located directly on Indian reservations, and the Kicking Horse Job Corps Center in Montana was specially designed to meet the needs of Indian youth. A decision on the part of the Nixon Administration to phase-out this particular Job Corps camp has met strong, out-spoken, and concerted Indian opposition. It is clear that the Indian population in the United States feels that they have benefitted from the Job Corps program.

The only part of the Economic Opportunity Act which mentions Indians specifically was the VISTA program. The VISTA program has brought hundreds of idealistic and committed volunteers to Indian reservations to provide services in a variety of ways to Indian communities. A promising new formulation of the VISTA program appears to be taking shape. The Navajo Community Action Program has recently presented a proposal to the Office of Economic Opportunity, which recommends that the total VISTA program on the Navajo reservation be taken over and controlled by the Tribe itself. The program will utilize indigenous reservation Navajos as VISTA's, to serve their own people. The program will be controlled by a Navajo board of directors, and planned, administered, and evaluated, by Navajos. The Office of Economic Opportunity has responded favorably to this new development.

Many other initiatives of importance have come out of the Economic Opportunity Act, but by far the most significant development was the establishment of the Indian Community Action Programs. In terms of demonstrating the capability of Indians for running their own affairs, in terms of demonstrating how a contracting relationship could be established between a federal agency and an Indian tribe, in terms of demonstrating the importance of Indian initiative and self-determinations, in terms of demonstrating the ability of Indians to carry out effectively their own programs, the CAP's on Indian reservations have been the most important innovation of the 1960's. More than sixty Community Action Programs presently exist involving 105 federal reservations in 17 states. The Community Action Programs have been assisted by a consortium of universities which have provided training, leadership development, business and technical support to the tribal Community Action Programs. Thus, in terms of Indian control, self-determination, innovation, and new imaginative initiatives, the Economic Opportunity Act constitutes the most important piece of legislation in the field of Indian Affairs in the 1960's.

In the field of Indian education this is dramatically borne out by the establishment of the Rough Rock Demonstration School on the Navajo Reservation in Arizona.

The Rough Rock School is the most important experiment in the field of Indian education in the 1960's. As a "demonstration" it has been extraordinarily influential in shaping a "new policy" and a reform movement in the field of Indian education. Rough Rock has become a symbol of Indian participation and control and educational innovation. Established on June 27, 1966, as a private non-profit organization the school is run by a five-member Navajo school board. Only two of the school board members have had any formal education and weekly school board meetings are conducted in Navajo.

It is highly instructive to note several facts about the genesis of the project. First, the initiative came from Stanford Kravitz, the Associate Director for Research and Development within the Office of Economic Opportunities' Community Action Program, and the basic ideas came from Dr. Robert Roessel who was to become the school's first Director.

> Four concepts that Roessel mentioned seemed particularly meritorious to Kravitz: (1) Indians would never give schools their wholehearted moral support until they were involved significantly as adults and given a measure of control. (2) English must be taught as a second language to Indian children, not regarded as something they could learn immediately through mere exposure. (3) The schools should be responsible, not only for educating Indian children, but for assisting in the development of local communities, through extensive adult education opportunities and other means. (4) The schools should help transmit to the young the cultures of their parents; tribal elders should be used by the schools, for instance, to teach traditional materials.

Second, the first attempt to launch the experiment at Lukachukai was a failure because a new "demonstration staff" was super-imposed on a traditional BIA boarding school. When the demonstration staff and the newly crested Navajo School Board attempted to launch unconventional programs, they encountered resistance from the regular school staff, who saw most new approaches as incompatible with BIA policy."

Third, a decision was made to "start fresh" with a newly completed BIA school plant at Rough Rock and Mr. Kravitz of the Office of

Economic Opportunity argued successfully that the experiment would fail again if the usual civil service requirements and BIA policies remained in force. Thus, BIA provides the plant and the standard per-pupil fiscal allotment while permitting the experiment to function independently.

Fourth, if the school was to serve community development purposes as well as develop new innovative educational programs, it was clear that substantial funding above the regular BIA level was necessary. This money has been provided by OEO. Thus, it was OEO leadership in cooperation with Dr. Roessel that brought Rough Rock into existence and defined its purposes and organizational requirements.

A second landmark piece of legislation was passed in 1965. The Elementary and Secondary Education Act (Public Law 89–10) made it a matter of national policy and priority that all disadvantaged youth in this country should receive an effective education. The act called for substantial innovation in achieving this goal, and provided a number of new approaches for accomplishing this objective. Title I of the act provides for billions of additional dollars to be spent on disadvantaged students. It made clear that unless there is a willingness to spend substantially larger amounts of money, an equal education opportunity for disadvantaged youth could not be accomplished. In 1966, title I of Public Law 89–10 was amended to include the Bureau of Indian Affairs. It seemed only too apparent that the Indian student population was the most disadvantaged in the country, and that the most disadvantaged were in federal schools. It was also clear that the operational budget of the Bureau of Indian Affairs was totally inadequate for providing a quality education for these children, and that therefore additional monies would be necessary.

As a consequence of this amendment, approximately five million dollars was set aside for federal schools in fiscal 1968, and approximately nine million dollars in fiscal 1969. These monies have provided an important boost in both moral and new programs within federal schools.

Title III of Public Law 89–10 provides for the establishment of special supplementary innovation centers which would provide backup support to public school districts in the development, and the development of new educational methodologies for disadvantaged students. Title III was clearly intended to provide a new institutional force for educational change, and to provide a complementary support for public school districts in their attempts to use Title I money effectively and wisely. The Bureau of Indian Affairs has also been included by amendment under Title III, although the amounts of money received have been relatively small.

Title IV of Public Law 89–10 is a general research title, but in addition contains important new initiatives. Perhaps the most important was the development and establishment of 15 Regional Educational Laboratories across the country, four of which have functioned to provide leadership for developing new and more effective programs for Indian students in federal and public schools.

The Regional Laboratories, as evidenced by the testimony received by the Subcommittee, have provided one of the most important forces for innovation and change in the field of Indian education. They have conducted a number of important research studies, they are working on development of new curriculum, they have worked with developing important new models of school programs in the field, they have been effective in disseminating a number of new innovative ideas and techniques, and they have provided a kind of sophisticated leadership that has been sadly lacking in the past. Two additional amendments to Public Law 89–10 provide monies in areas of major importance in terms of solving problems in the field of Indian education. These new areas are "Drop-Out Prevention" and "Bilingual Education." In summary, the Elementary and Secondary Education Act has provided a new national policy of educational excellence for the disadvantaged. A clear-cut implication of this new national policy is that if the federal government has a special and necessary school system for Indian youth, it should indeed be one that demonstrates the best of practices and leadership for all schools in this country. Secondly, it makes clear, that if this goal is to be accomplished, much greater investments will be required.

THE FIRST ASSISTANT COMMISSIONER FOR EDUCATION—BIA

The general policy enunciated in the Elementary and Secondary Education Act of 1965, was to become manifest in the Bureau of Indian Affairs with the appointment of Dr. Carl Marburger to assume the position of director of the Education Division within the Bureau of Indian Affairs. It had been clear for a long time that the organizational status of educational programs in the Bureau of Indian Affairs were clearly inferior to the size and importance of their operation within the Bureau. Considering that education programs constituted more than 50% of the total budget of the Bureau of Indian Affairs, is astounding that as late as Spring of 1966, the educational programs in the Bureau of Indian Affairs constituted one of several branches in one of several divisions in the Bureau of Indian Affairs. Commissioner Robert Bennett changed the status of the branch of education to a division in mid-1966, and following the appointment of Dr. Carl Marburger, the head of the new division became an Assistant Commissioner of the Bureau of Indian Affairs. Dr. Marburger, who had been an Assistant Superintendent in the Detroit Public School System responsible for innovative federal programs, brought a new vision, a new sense of urgency, and a new set of standards and competence to the Bureau of Indian Affairs. Equally important, he brought a dynamic sense of leadership and a desire for change. Although he was to remain in his position only a year, Dr. Marburger managed to accomplish a number of important things. Most importantly were the new policy formulations which he articulated both within and outside the Bureau of Indian Affairs. The new policy formulation centered on Indian participation and control, and secondly, the vision that the federal school system for Indians should provide a model of excellence for the nation in terms of effective education for disadvantaged youth, or in short, as he put it, it should be "exemplary." The following is a brief list of a number of new and important initiatives that were taken:

(1) Action was taken to include Bureau of Indian Affairs schools under the Elementary and Secondary Education Act. Dr. Marburger provided the testimony and the amendment was successful.

(2) Dr. Marburger specified a number of new policy positions in regard to Indian control. This was reflected in the establishment of a new National Indian Education Advisory Committee composed of 16 Indian leaders which was to advise the Assistant Commissioner for Education on all important policy decisions. A major new emphasis was placed on the importance of the Indian family and the Indian community in terms of its involvement in educational programs. This meant a thorough going rethinking of the whole BIA boarding school system, out of which came a statement of policy that elementary boarding schools should be discontinued as rapidly as possible, and that whatever new approaches were needed to accomplish this should be taken. It was clear that day schools were preferable to elementary boarding schools, and that elementary boarding schools might very well be damaging to the children in terms of their emotional and personality development. In addition, a new policy statement that federal boarding high schools should no longer be placed long distances from the populations they were to serve, but should be near or on the Indian reservations where their students would be coming from.

(4) Important new emphasis was placed on the development of bilingual educational approaches, teaching English as a second language, and the development of culturally relevant curriculum materials.

(5) A clear statement was made that Indian children should not be transferred willy-nilly to public schools as they had been in the past, until it could be clearly demonstrated that public schools could effectively assume the responsibility for the education of these children.

(6) An effort was initiated to build a strong evaluation, consultant utilization, and research and development component in the Education Division of the Bureau of Indian Affairs. Prior to this time, no consultant or research and development money had been available.

(7) A number of new positions for educational specialists were established in the central office of the Bureau of Indian Affairs to effectively evaluate and provide leadership for innovative change in the field. Perhaps the most refreshing aspect of the new leadership he brought to the Bureau was a sense of candor and honesty about the many and extremely serious inadequacies of the federal school system for Indians.

Change is always painful, and perhaps this had something to do with the fact that Dr. Marburger was received with mixed emotions within the Bureau of Indian Affairs. Whatever the reasons, it is clear that Dr. Marburger did not receive the kind of support he needed to carry out his new policies and programs effectively. The major issue was whether or not he actually had any control over what was going on in the more than 200 schools he was responsible for. During his tenure as Assistant Commissioner, as he has made clear in his testimony before the Subcommittee, it became increasingly clear to him that without line control over schools in the field, he was not going to be able to make many of the important changes that he deemed necessary.

Recognizing that line control was not going to be permitted Dr. Marburger resigned only a year following his appointment. Nevertheless, the impact of his new leadership and policy guidelines were substantial and continue to be an important force for change in the Bureau.

Dr. Charles Zellers, moving from a position of Deputy Assistant Commissioner for the Elementary and Secondary Education Bureau in the Office of Education, to the position left open by the resignation of Dr. Marburger, proceeded to carry on in a forceful way many of the new policy initiatives and programs which had been established in the previous year. But he also has made it clear in his testimony before the Subcommittee that he has been hamstrung in effectively carrying out what he felt were necessary changes and in implementing new programs by the same factor that had thwarted Dr. Marburger's efforts. He in turn has received inadequate support for his attempts at major change within the Bureau educational system, and has been increasingly frustrated over his lack of line control over the schools for which he is responsible. It is abundantly clear at this point, that if substantial meaningful change is to take place in terms of improving federal schools and reaching any first approximation of the concept of a model school system and exemplary practices, that the Assistant Commisioner for Education must have line control over the schools. The serious question still remains whether or not this will prove to be adequate in and of itself.

SENATE CONCURRENT RESOLUTION 11

In the Fall of 1966, similar to the Spring of 1961, three events took place which were of major importance to the development of a "new policy" in the field of Indian Affairs. The President instructed the Secretary of Interior to develop a basic piece of legislation equal in importance and promise to the Indian Reorganization Act of 1934. In addition, the President quietly established a White House Task Force of experts from a variety of disciplines and occupations independent of the Federal government. The Task Force was given the assignment of conducting a thorough independent review of the BIA and other Federal programs for the American Indian and to prepare a detailed report with recommendations for the President. In Congress, Senator George McGovern introduced Concurrent Resolution 11 on October 13, 1966.

Senator McGovern's Concurrent Resolution called for a "new national policy" in the field of Indian Affairs. It pointed out that the "first" American was still the "last" American in terms of income, employment, health and education. Secondly, it pointed out that fluctuations in national policy had been a serious impediment in finding appropriate and workable solutions to the problems which the Indian faces, and had, in many instances, proven to be mistaken, resulting in a perpetuation of Indian poverty rather than alleviating it. It was clear that one of the major intentions of the Concurrent Resolution was to disavow the termination policy of the 1950's. Third, the Resolution pointed out that although a number of new government programs had been added and greater sums appropriated in recent years, the nation had really just begun to establish meaningful breakthroughs and needed to recommit itself to a much greater, more systematic, sustained and enlightened effort to solve these problems.

When Senator Robert F. Kennedy testified before the Senate Subcommittee on Indian Affairs pertaining to Concurrent Resolution 11 on March 5, 1968, he said the following regarding the implications of the 'new statement of national policy' for Indian education programs:

> What are the implications of this bill with regard to federal responsibility in Indian education? I am convinced that the Federal Government has a moral and legal commitment to provide or subsidize not just an average educational program but an educational program unsurpassed in its excellence and effectiveness for as many Indian children as can be properly considered within the Federal Government's direct or indirect responsibility. As Dr. Carl Marburger, recently the Assistant Commissioner of Education for the Bureau of Indian Affairs, stated the goal: The Bureau of Indian Affairs should be running an educational system second to none or, as he put it, "exemplary" in the fullest sense of the word. We are a long way from accomplishing this goal, but I certainly agree with his stated objective.
>
> I would go even further than this and say that if our present practice of moving children into public schools as rapidly as possible is to continue, then the government should bear a substantially larger burden than it presently assumes for seeing that these public school systems are adequately staffed and financed for an effective and exemplary program. I am concerned that too often in the past, out of ideological fervor for "state responsibility," out of concern for lowering federal expenditures and demanding "rapid assimilation—whatever the cost," we have forgotten or simply overlooked the fate of the Indian child. I am also concerned that far too often this transfer of responsibility is decided without the adequate involvement or acceptance of the Indian parents or Indian community. It is obvious that, in many instances, transfer from a BIA school to a public school district places the Indian child in a small rural school, underfinanced and understaffed, unprepared to cope with his special needs, and, in some instances, openly hostile and unfriendly. This is not to suggest that I am opposed to the concept of integrated education and state responsibility. It does suggest that the real test is educational performance and the ultimate responsibility for historical, legal, and moral reasons lies with the Federal Government. I do not think that we have lived up to that responsibility nor have we provided viable options to Indian parents and their children. I think Concurrent Resolution 11 makes the same point.

The resolution passed the Senate but did not pass the House and has been reintroduced again this year.

THE INDIAN RESOURCES DEVELOPMENT ACT

In response to the White House request to draft new basic legislation, the Department of Interior developed a bill which became known as "the Indian Omnibus Bill" which was introduced in Congress on May 18, 1967. It was called the Omnibus Bill because it contemplated meeting a broad range of Indian problems. It was hoped that the bill would have the same degree of importance as the Indian Reorganization Act of 1934. Despite its ambitious title, the bill, after having gone through a number of drafts, turned out to be an act primarily aimed at providing financial resources for tribes and Indian individuals. This was entirely consistent with the emphasis on economic development which had emerged out of the Task Force Report of 1961. Josephy points out that while Department of Interior officials were working on the bill, Commissioner Bennett conducted regional hearings among Indian leaders in the field, inviting them to make recommendations on what should be included in the legislation.

The Indians took him at this word and went to great lengths to prepare their presentations. At the hearings, they proposed a total of 1,945 separate recommendations covering all phases of Indian Affairs. It was probably the most comprehensive and detailed expression of Indian interests, needs, and aspirations in the history of our country. It is interesting to note that 17% of the recommendations were in the field of education. There were to be no educational provisions in the Omnibus Act and it became clear that the Indians weren't to have anything to say about what was to be in the Omnibus Act. "While the hearings were still in progress, the first draft copy of the bill which the Department had been working on, was made public, and disillusionments set in among the Indians, who suspected that, once again, the government had no intention of taking a recommendation seriously."[27] In addition, once the bill was made known, it became clear that the Indians objected to a number of major titles in the bill and clearly felt that one of the intentions of the bill was "termination." It was also clear from the beginning that the bill would be rejected and it was unfortunate that this could not have been foreseen by the Department of the Interior. It would have prevented serious disillusionment among the Indians who participated in the regional conferences and a terrible embarrassment to the new Commissioner of Indian Affairs.

Perhaps the importance of this abortive effort lies in the fact that once again the Department of the Interior proved that it did not understand Indians' needs or desires, nor could it operate in other than a purely paternalistic way, and last, that a basic "termination attitude" still existed within the Department.

PRESIDENTAL TASK FORCE REPORT ON THE AMERICAN INDIAN

In the Fall of 1966, an outstanding group of men from various disciplines and occupations outside of government came together to form a Presidential Task Force on the American Indian. This group deliberated for a period of three months and produced a substantial report with recommendations for the President in January of 1967. This document probably constituted the most important statement in the field of Indian Affairs in the 1960's. Education received top priority attention in the Report. It made clear in no uncertain terms that both federal schools and public schools were failing Indian children. The Presidential Report, in contrast to the Omnibus Bill and the Udall Task Force Report, recognizes the fact that "the first step in any program concerned with training and employment of Indians must be that of the development of a far more effective educational system."[28]

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[27] *Ibid.*, p. 43.

The Report is particularly blunt on the failings of public schools. It states, "Indian children attending BIA schools are more disadvantaged than those attending public schools. Even so, public schools are not notably more effective in educating Indian children than the Bureau schools, and, in many places, are considerably less effective." The Report continues, "Moreover, the strong factor of social prejudice is present in many areas where substantial Indian populations exist. These attitudes make for a very inhospitable climate for educating Indian children in public schools. The assumption that "integrated education" is invariably better * * * would not appear to be valid under present circumstances in many areas."[29]

The Report notes the "overwhelmingly inadequacy of data on Indian education, and the inadequate effort to correct this deficiency.'[30] The Report stated that, "The assumptions underlying the conventional approach to Indian education evidently have not been valid and a systematic search for more realistic approaches is clearly in order."[31] It was "shocked" to find that the BIA did not have a Research and Development budget for this important task, made clear that Research and Development is a basic need—not a frill—and the Research and Development effort and leadership must come from the Federal Government.

Two facets of a "new policy" were delineated. First, improving the effectiveness of the education provided to Indian children must remain a high priority objective in the Federal Government. Although direct federal action can most readily take place in the federally-operated schools, special efforts should be directed to encourage and assist the public schools in improving the quality of their educational programs for Indian children. But rather than continue to press for the transfer of Indian children to the public schools, irrespective of whether they are willing and able to provide the special attention needed by Indian children, the *Federally operated Indian schools should be made into models of excellence for the education of disadvantaged children!*[32]

The report points out that accomplishing this goal will be expensive, probably requiring a doubling or even trebling of the per pupil costs. The Report emphasizes that this is an investment, not an expenditure, that in the long run, this kind of investment more than pays for itself.[33]

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[28] Presidential Task Force Report, Jan., 1968; p. 12.
[29] *Ibid.*, p. 15.
[30] *Ibid.*, p. 17.
[31] *Ibid.*, p. 17.
[32] *Ibid.*, p. 17.

The second facet of the "new policy" received particularly strong emphasis. Indians must not only participate in, but control the development of, the "model system." The Report made clear that Indian parental and community participation is very slight—Indian control is practically non-existent. The Report called for school boards to be established at every Federal school. It stated that without such boards, school administrator paternalism will persist. Also, such boards would be necessary to develop meaningful parental participation and the use of schools as centers for adult education and community development. Special stress was placed on the fact that school administrators would strongly resist the change, and the boards must in fact have authority, not just an advisory function.

In addition to school boards, the Report called for Indian control at the top in the form of a National Advisory Board on Indian Education. It points out: "Ideally, this should be a statutory board, but since it will take many months for Congress to consider and act on legislation, in the interim, the Secretary of the Interior could establish a twelve-member board of which at least half should be Indians; the others should be outstanding educators and private citizens with broad backgrounds in public affairs."[34] The most important task of the National Advisory Board will be the development of a comprehensive plan for making the Federally-operated schools into a model system.

In the final section of the Report, the Presidential Task Force faced up to the problem of how could its many creative recommendations be carried out. The reaction to the BIA had been unanimous—it was a tired, ineffectual, and in-bred organization, accustomed to lethargy, not change. Secondly, it was buried under the Assistant Secretary for Public Land Management in the Department of Interior, yet its major responsibility was in the area of developing human resources.

Could the leadership come from the top—obviously not—the 1960's had already demonstrated that. In addition, there was the disturbing question about basic conflicts of interest between BIA and other parts of the Department of Interior over Indian resources—land, water, timber, minerals, etc.

After much deliberation, the Task Force recommended that the primary responsibility for Indian Affairs be transferred from the Department of the Interior to the Department of Health, Education, and Welfare, where it was to be placed intact as a new agency under an administrator for Indian Affairs who would report directly to the Secretary of HEW. The question of reintegrating the Indian Health Service which had been transferred to HEW in 1955 was not raised. The consensus of the Task Force was that the Indian Health Service had improved dramatically as a result of the transfer, and argued that the same would be true for the rest of the BIA. Clearly HEW had the kinds of technical support needed for BIA programs and in addition a tradition (unlike Interior) of substantial expenditures for Research and Development and consultants. Nevertheless, this still left unanswered the challenge of how BIA could be reformed internally. Certainly most of the same personnel would remain. This was left as a moot question.

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[33] *Ibid.*, p. 18.
[34] *Ibid.*, p. 28.

The Report concluded with a clear warning against acting precipitously and without full explanation and consultation with the Indian tribes. Nevertheless, the President seized upon the idea and moved secretively and in a way which aroused Indian anxiety. When the proposed transfer was hinted at by Secretary Gardner at an Indian Manpower Conference in February 1968, they reacted as if it was a termination proposal (the assumption was that the various functions of BIA would be scattered throughout HEW), and the matter was dead before it ever got openly explained and discussed. Worse, as a result of this initial failure the Report and its many important recommendations was filed away.

THE PRESIDENT'S MESSAGE ON INDIAN AFFAIRS

Following the demise of the Presidential Task Force Report, in the spring of 1967, a Second Interagency Task Force was organized in late summer which prepared a report that went to the President in October. This report served as a basis for the Presidential Message on Indian Affairs to Congress on March 6, 1968, and most of its salient features were included in that message. The first task force report had recommended the need for a Presidential address on Indian Affairs which would serve to clearly put to rest the fear of termination on the part of Indian tribes and would pledge the nation to a respect for Indian identity and Indian participation in all new programs and decisions affecting him. In addition, the message was to lay out a bold new program of federal initiatives to help raise the health, educational and economic status of the American Indian.

The Interagency Task Force was essentially a programmatic one, charged with the responsibility of evaluating all federal programs for the American Indian and determining where additional amounts of money could be invested to the best advantage and to determine what new program areas should be initiated. Many of its proposals were strongly influenced by prior recommendations in the Presidential Task Force Report. Although it was specifically instructed not to deal with the question of transfer of the Bureau of Indian Affairs out of the Department of the Interior, it is interesting to note that the Interagency Task Force in its report to the President felt it mandatory to make two new organizational recommendations. Although the Task Force made no serious examination of the Bureau of Indian Affairs' structure, and its internal inadequacies, it did point out that the position of the Bureau of Indian Affairs under the Assistant Secretary of Public Land Management was undesirable, and that the organizational status of the Bureau of Indian Affairs should be elevated to that of a new Assistant Secretary of Interior for Indian and Trust Territory Affairs. The report pointed out that both Indian affairs and trust territory affairs were primarily matters of human development or, as the report put it, "people oriented" and that consequently they deserved to have a new and different kind of leadership within the Department of the Interior.[35]

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[35] Josephy, *Op. Cit.*, p. 52.

Secondly, the report pointed out that government programs for the American Indian across the executive branch were many times inconsistent with each other, that there was no mechanism for effective coodination between them, that although the Bureau of Indian Affairs had been charged with the responsibility for coordination it was incapable of doing so. The report recommended creating a new coordinating and ombudsman type mechanism called the National Council on Indian Opportunity. The Council was to consist of eight Indian leaders with the Vice President of the United States as chairman, and with Cabinet level representation from each of the departments which had significant Indian programs.

Although the report did not grapple with the question of the inadequacies of the organizational structure of the Bureau of Indian Affairs, it did point out several factors that grossly inhibited the execution of sound Indian policy. These factors included paternalism towards Indians by BIA personnel; BIA self-protectiveness, defensiveness and insularity; lack of vigor and innovativeness; and "two principle factors which inhibit further progress in promoting Indian self-sufficiency; personnel quality and a sound data base for planning and policy coordination."[56]

The primary concern of the Task Force had been how to distribute a proposed budget increase of approximately $50 million among the various different Federal government programs for the American Indian, with some thought to be given to what new programs should be initiated. As Mr. Josephy observes, "the programmatic recommendations of the Interagency Task Force fell far short of the massive therapy and funding which the Presidential Task Force had considered mandatory, if the government were to solve the problems of the reservation."[57] In general, the Interagency Task Force Report is a disappointing document consisting primarily of a rehash of previously existing ideas and recommendations along with substantial descriptive information on federal programs and recommendations for budget increases. The report called for an increase of some $76 million in the total Federal budget of $525 million for Indian programs. This increase appears almost ludicrous when contrasted with the extremely ambitious goals and programs laid out in the Presidental Message on Indian Affairs. In addition, the amount of the increase was cut back to approximately $52 million in the Presidential Message, and considerably less than this amount of money was actually appropriated.

The Presidential Message of Indian Affairs of March 6, 1968, rejects termination as a policy and suggests in its place programs which stress self-determination. In addition, it pledges itself to substantial Indian control and participation in all federal programs which affect them.. It argues against paternalism and in favor of partnership and self-help. The only organizational recommendation contained in the message was the announcement of an issuance of an executive order to establish a National Council on Indian Opportunity similar to the one that had been recommended in the Interagency Task Force Report. It was to consist of the Vice President of the United States as chairman, the Secretary of the Interior, the Secretary of Agriculture,

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[56] *Ibid.*, p. 53.

[57] *Ibid.*, p. 55.

Commerce, Labor, HEW, and HUD, the Director of OEO and six Indian leaders appointed by the President for terms of two years. The Council's functions were "to review federal programs for Indians, make broad policy recommendations, and to insure the programs reflect the needs and desires of the Indian people." The President went on to state, "I've asked the Vice President, as Chairman of the Council, to make certain that the American Indian shares fully in all our federal programs." [38]

The Message placed the highest priority on the improvement of education for American Indians and includes a substantial section of recommendations in that regard. The Message pointed out that present educational programs for American Indians are failing them badly, and that much more intensive and imaginative programs are needed. It pointed out that legislation enacted in the past four years can provide a considerable impetus for improving education for Indians; the challenge is to use this legislation to the fullest advantage and creatively for the benefit of Indian students. In addition, the Message called for a substantial increase in the Headstart program for Indian children and the establishment for the first time of kindergartens for Indian youngsters. It also recommended substantial increases in the college scholarship grants program to include for the first time living allowances for Indian students and their families, and that the Upward Bound program in the Office of Economic Opportunities establish a special program for Indian high school students. By far the most interesting and far-reaching recommendation is a special section entitled Federal Indian Schools.

It states:

> Since 1961, we have undertaken a substantial program to improve the 245 federal Indian schools, which are attended by over 50,000 children. That effort is now half-completed. And it will continue.
>
> But good facilities are not enough.
>
> I am asking the Secretary of the Interior, in cooperation with the Secretary of Health, Education and Welfare, to establish a 'model community school system' for Indians. These schools will—have the finest teachers, familiar with Indian history, culture, and language—feature an enriched curriculum, special guidance and counseling programs, modern instructional material, a sound program to teach English as a second language—serve the local Indian population as a community center for activities ranging from adult education classes to social gatherings.
>
> To reach this goal, I propose that the Congress appropriate $5.5 million to attract both talented and dedicated teachers and to provide 200 additional teachers and other professionals to enrich the instruction, counseling and other programs.
>
> To help make the Indian school a vital part of the Indian community, I am directing the Secretary of the Interior to establish Indian school boards for federal Indian schools.

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[38] HR Doc. 272, 90th Cong., 2nd Sess., p. 3.

> School board members—selected by their communities—will receive whatever training is necessary to enable them to carry out their responsibilities.[39]

Thus, the new national policy statement for Indian education had emerged full-blown and consisted of two parts. The goals would be maximum Indian participation and control, and the pursuit of excellence in a model school system in the federal schools. As Mr. Josephy points out, "As a whole, the President's Message was more a statement of goals and principles than a satisfactory blueprint of methods and means by which to achieve the goals." He continues, "at the same time, the only slightly increased level of spending was hardly enough to support many of the programs that were proposed and was totally unrealistic if a meaningful impact was going to be made on the worst problems. Sights were scarcely raised in the field of housing, and many of the fine goals for education would remain simply goals."[40] In addition, "the President's silence about the BIA was deafening to critics of that agency. Many of the program's aims and programs, particularly in the field of Indian education, were unattainable, and not alone because the funding for them was too low, but because the Bureau's structure and administrative operations would preclude their effective realization. Without attending to the defects in the Bureau, the agency's malaise would continue, making much of the President's message mere rhetoric."[41]

The Organization Question

Both the White House Task Force Report and the Presidential Message to Congress had called for a major transformation of the educational programs in the Bureau of Indian Affairs. Both the Report and the Message had recommended an "exemplary" educational program in the Bureau of Indian Affairs which would maximize Indian participation and control. In addition to providing a quality and effective education for Indian students, a "model school" system was envisioned which would be capable of demonstrating the most innovative and effective educational programs for disadvantaged students. The "model school" system would be capable of providing national leadership for improving the education of all disadvantaged students. The Task Force Report had made it clear that the Bureau of Indian Affairs was incapable of carrying out the "new policy". Unfortunately, the Presidential Message did not deal with the problem.

In an article entitled "Lo, the Poor Indian", Ralph Nader commented on the failure of the Presidential Message to deal with the basic problem which he called a "bureaucratic malaise". He states:

> * * * is there anything new here, other than further action-displacing sympathy that has bred a hard skepticism into most Indians long resigned to poverty in perpetuity? Clearly, a direct White House commitment to Indian betterment, for the first time, gives the mission greater visibility

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[39] *Ibid.*, p. 5.
[40] Josephy, *Op. Cit.*, p. 60.
[41] *Ibid.*, p. 61.

> and importance * * * but beyond that, the President's Message avoided dealing with the enduring organizational dry rot upon which these programs are being advanced; namely, the Bureau of Indian Affairs.[42]

Mr. Nader suggests that the Bureau of Indian Affairs' "dry rot" is a function of its conflict of purposes and historical failures. He summarizes this allegation as follows:

> One hundred and nineteen years ago, the BIA was established in the Department of Interior with both presumed and actual missions. The former dealt with improving the lot of the Indian; the latter dealt with facilitating the encroachment on or exploitation of Indian lands and resources. Under the Bureau's aegis and congressional directive, the Bureau land base shrunk from 150 million to the present 53 million acres—about the size of New England. For generations the Bureau presided over people without a future. Indians were called "wards", were culturally devastated, physically pushed around, and entwined in a most intricate web of bureaucratic regulations and rules ever inflicted anywhere in this nation's history. They still are.[43]

According to Mr. Nader, this historical legacy of failure has continued up to present constituting a fundamental "bureaucratic malaise" which must be dealt with in a radical fashion if real progress is to be made in the field of Indian affairs. In support of this contention, Mr. Nader points to the findings of the White House Task Force Report. He states:

> There was a disgust and despair felt by many of the Task Force members about the performance of the Bureau. They took note of the widespread impression that too many BIA employees were simply time servers of mediocre or poor competence who remained indefinitely because they were willing to serve in an unattractive post, at low rates of pay for long periods of time; that too many had unconsciously anti-Indian attitudes and were convinced that Indians were really hopelessly incompetent and their behavior reflected that assumption.[44]

As a result, the Task Force Report had recommended a thoroughgoing reorganization of the Bureau of Indian Affairs and its complete transfer to the Department of Health, Education and Welfare. Mr. Nader suggests that the Task Force "might have made a far stronger case against the BIA," and he proceeds in the rest of the article to do so. Mr. Nader charges that:

1. The BIA provides generally very low quality services in all of its programs. In addition, there is an uneven distribution of services as a result of Bureau politics-playing favorites with certain Tribes.
2. Bureau schools fail both in terms of quantity and quality. The schools breed despondency, cultural inferiority and alienation, and consequently the drop-out rates are exceedingly high.

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[42] "Lo, the Poor Indian," Ralph Nader, *The New Republic*, March 30, 1968, pg. 14.
[43] Ibid., pg. 14.
[44] Ibid., pg. 14.

3. He cites a number of examples of BIA mismanagement of Indian land, timber, and water resources. He suggests that BIA has managed to oversee the leasing and franchising of valuable reservation property rights and income opportunities into predominantly non-Indian hands.

4. He cites the general lack of data from the Bureau of Indian Affairs about their programs, and their "Byzantine secrecy" in not providing data for certain important problem areas such as Indian trust funds.

5. Despite their fumbling attempts to encourage economic development on reservations, the BIA has had little impact on the fundamental problem of Indian unemployment. He states that the basic economic problem of Indian communities could be solved by the provision of 40,000 jobs. If the Bureau were in any way a creative organization, it would have recognized that there was a solid precedent for success in job creation in the Indian Emergency Conservation Work Program during the thirties, where 15,000 men were put to work in a few months time.

7. With the exception of some advances in Indian health, reservation conditions remain as bad or worse than ten or twenty years ago. In the meantime, the BIA has prospered, growing to its present size of approximately 16,000 employees providing the services of a federal, state and local government in one single bundle. And, despite its failures, the BIA budget has been increasing at a rate that has doubled in the past decade.[46]

Mr. Nader's critique of the "bureaucratic malaise" of the Bureau of Indian Affairs was symptomatic of the substantial and long-standing feeling on the part of many Congressmen and informed citizens that the BIA was an extremely ineffective organization and one that was failing in many ways in its basic mission. It was this suspicion in regard to the BIA education program which led to the establishment of the Senate Subcommittee on Indian Education.

INTERDEPARTMENTAL REPORT

The Interdepartmental report, entitled "Quality Education for American Indians, a Report on Organizational Location," was received by the Senate Education Subcommittee on May 11, 1967. The report was in full agreement with the "new policy" recommendations of the White House Task Force Report and the President's Message. In regard to establishing exemplary educational programs, the report states:

> "Wherever the locus of responsibility resides, the departments believe that the federally-run Indian education program should be an exemplary system directed at providing the highest quality education to meet the special needs of Indian people. All the resources required to achieve the desired goals should be made available.[5]

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[46] Ibid., pg. 14–15.

[5] "Quality Education for American Indians, A Report on Organizational Location", prepared for the Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate, May, 1967. p. 1.

In regard to the need for Indian participation and control, the report stated the following:

> "Every effort should be made to encourage Indian parents and tribal leaders to assume increasing interest in, and responsibility for, the education of Indian children in accordance with the concept of community action. School boards, elected by the community and entrusted with appropriate responsibility for education, should be adopted as standard operating precedure. Specialized training programs should be instituted for Board members. Study should also be given to the possibility of making grants directly to Indian groups to administer their own educational programs.[6]

Although the report does not examine in any detail the organizational effectiveness of the Bureau of Indian Affairs, or the quality of its educational programs, it does list a number of recommendations for change which clearly imply important defects. In two areas, the report points out basic deficiencies that clearly would impede innovation and change. First, the report states that the Assistant Commissioner for Education in the Bureau of Indian Affairs presently serves in a staff capacity, which does not permit him to be an effective leader, or to carry out needed changes. The report recommenends a significant reorganization of the BIA education function, calling for line control over the schools by the principal education officer. It states:

> "The principal official responsibile for education should be in a role comparable to that of a superintendent of a major school system, i.e., with full responsibility for the total educational enterprise, including school construction, operation, and maintenance.[7]

Secondly, the report calls for a thorough-going overhaul of the staffing policies and procedures. The report states:

> "Staffing policies and procedures should be reviewed to develop procedures for recruitment and selection to assure employment and retention of the highest quality staff. Positions in education should be aligned with the rest of the education profession, e.g., in terms of work year, incentives such as salary, opportunity for continuing education, etc. Consideration should be given to acquiring staff for schools in isolated areas by creating a volunteer or limited assignment category which might increase the likelihood of attracting well-qualified staff committed to working with the Indian child. Programs such as Teacher Corps and VISTA should be fully utilized. The roles of teacher and dormitory aides and other supportive personnel should receive appropriate consideration, particularly as a means of involving the community.[8]

In addition to these two key areas, the report points out a number of additional areas where BIA performance must be improved. These include: developing more effective liaison and coordination with the Office of Education; Indian youngsters should be moved out of boarding schools and placed in community schools on the reservation as soon as this can be done with no reduction in quality of education; more effective coordination with state departments of education and local school districts in assisting them to develop strong and effective programs for Indian children; more effective procedures should be developed for transferring Indian students from federal schools to integrated public schools; more effective ways should be found to provide a higher education opportunity for Indian children, including the encouragement of junior or community colleges on and near the larger reservations.[9]

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[6] Ibid., pg. 8.
[7] Ibid., pg. 7.
[8] Ibid., pg. 8.

Three recommendations in the report suggest the need for considerable reexaminiation and bold new initiatives on the part of the BIA education program. The report calls for a "comprehensive study of the educational needs of Indians and the effectiveness of present programs—federal, state, and local—in meeting these needs." [10] Second, "A review of vocational education opportunities for Indian young people and adults should be undertaken * * * the most extensive program of vocational education possible should be available to Indians, beginning with the high school level, and should be closely tied to job availability and family mobility. Every Indian who completes high school should have an opportunity for college or additional vocational training." [11] Third, the report calls for a bolder vision, and substantially greater innovation, in carrying out BIA education responsibility.

The report states:

> Education must be viewed as a single, continuing process which ranges from pre-school through adulthood. Beginning with pre-school experience for all Indian children, the research and development capacity of the appropriate agencies should be strengthened, in order to tailor educational programs to the needs of Indian people. Study should be made of the possible application of new educational technologies. Greater attention and support should be given to special education, since there is a high incidence of disability and handicaps among Indian children. Attention should be given to funding experimental programs at universities to assist Indian youth in adjusting to contemporary American society. Consideration should be given to supporting a center for graduate study of the languages, history, and culture of American Indians.[12]

In summary, the Report had pointed out a number of areas where substantial improvement was needed in BIA education programs, including some important structural changes.

In arriving at its decision as to whether or not the educational function of the BIA should be transferred to the Office of Education, the Report considers the prior transfer of the Indian Health responsibility from the Bureau to the Public Health Service in 1955. The Report emphasizes that the transfer of the health function to the Public Health Service had resulted in larger appropriations, greater professionalism, and "there has been a marked improvement in the state of Indian Health."[13] Nevertheless, the report indicates an important difference between the transfer of health and education. The difference was, "The Public Health Service's experience in the operation and control of hospitals and other medical facilities, whereas the Office of Education has never operated schools or a school system."[14] Therefore, the Report felt that the transfer of the health functions in 1955 did not stand as an adequate precedent for the transfer of the education function.

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[9] Ibid., pg. 7–9.
[10] Ibid., pg. 9.
[11] Ibid., pg. 9.
[12] Ibid., pg. 8.

The Interdepartmental Report concluded that the education function should not be transferred from the Bureau of Indian Affairs to the Office of Education. The Report states:

> Because education is inextricably linked to the other human service functions, and because transfer of the education function would result in further fragmentation of the total spectrum of services now afforded American Indians by the federal government, the Departments recommend that the Bureau of Indian Affairs should retain the education function at this time, working in close cooperation with the Office of Education to develop a high quality program of Indian education. This recommendation also reflects prevailing Indian opinion.[15]

In arriving at its conclusions, the Report had weighed the following advantages and disadvantages:

ADVANTAGES OF TRANSFER

> 1. The quality of Indian education might be expected to increase as a result of the augmentation of significant professional expertise, research capability, and financial resources.
> 2. A more positive public image of Indian education could result from greater identification with the education profession.
> 3. The Office of Education would have great incentive to build a model program for the education of Indian youth, particularly since this would be its only direct operational program.
> 4. A more effective transition of education functions from federal to state governments might take place with the more viable relationships which exist between the Office of Education, State departments of education, and local education agencies.

DISADVANTAGES OF TRANSFER

> 1. The portion of the Bureau remaining after transfer of the education function might be handicapped, and the quality of remaining services might deteriorate. At present approxi-

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[13] Ibid., pg. 6.
[14] Ibid., pg. 6.
[15] Ibid., pg. 1.

> mately 70% of the total BIA budget is allotted to education activity. Because of the intricate dovetailing of funding structure, personnel functions, and other services which have developed over the years, education is closely related to other BIA activities. A transfer of the education function doubtless would result in a period of dislocation.
>
> 2. Indian people tend to view a transfer of this nature as an additional step toward termination of federal responsibility, a policy strongly opposed by most Indians.
>
> 3. A transfer of education alone would result in further fragmentation of services which would necessitate Indians dealing with yet another Federal agency. This diffusion of services is viewed as eventually decreasing the measure of total, integrated assistance to Indians, when it would appear more beneficial to be consolidating or in other ways improving the coordination of direct personal service programs.[16]

In considering the advantages and disadvantages stated, it is apparent that the Inter-departmental Task Force felt that the quality of Indian education programs would be substantially improved by the transfer to the Office of Education, and that the new location would provide a far better opportunity for the development of a model program. On the negative side, the Task Force felt that the removal of the education program from the BIA might have a deleterious effect on the rest of the BIA programs. More importantly, it was clear that the Indians felt that the transfer would reflect a termination of federal responsibility.

On November 9, 1966, a meeting had been held in Denver, Colorado, to discuss the transfer question with eighteen Indian tribal chairmen and members of tribal education committees. At this meeting—

> Indian representatives expressed concern about the transfer of education from BIA to the Office of Education. They were fearful of 'termination' of federal activities in their behalf, and were generally opposed to the disruption of the traditional relationships which existed with the government. They indicated distrust of the fragmentation of Indian services within the federal establishment. They felt their welfare would suffer if these functions were further divided between agencies rather than remaining concentrated in the Bureau of Indian Affairs.[17]

An important consideration was whether or not the Office of Education would actually assume the responsibility with enthusiasm, and carry it out with good faith. Indians seemed to feel that the Office of Education not having had prior experience with an operational program, and strongly beholden to state departments of education, might quickly transfer its responsibilities back to the states. Based on prior experiences with state governments, Indian representatives felt that this would be a disaster. It would result in a substantial reduction of both quantity and quality of educational services available to Indian children.

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[16] *Ibid.*, pp. 6–7.

[17] *Ibid.*, p. 5.

In addition to the stated reasons for rejecting the proposed transfer of the education function, two other factors probably played a role in the final determination. First, it might be considered a foregone conclusion that an Interdepartmental Task Force would operate in such a way, as to not embarrass either of the two departments involved. Such a format provided for relatively little independent judgment. Secondly, it is clear from the record of the meetings that were held, that the U.S. Office of Education expressed no enthusiasm for assuming the new responsibilities.

Having opted for the status quo, the Interdepartmental Report provides the following rationale for achieving the "new policy" goals of maximum Indian participation and control and exemplary programs. First, the Report takes note of the new leadership and new policies which had emerged in the Bureau of Indian Affairs, following the appointment of Dr. Carl Marburger, as Assistant Commissioner of Indian Affairs for Education. The Report comments favorably on the new leadership and suggests that it should be given a chance to prove itself. Secondly, the Report calls for closer liaison and cooperation between the Bureau of Indian Affairs and the U.S. Office of Education. Third, the Report recommends that the Bureau of Indian Affairs authorization for Titles I, II, and III, of the Elementary and Secondary Education Act, should be extended beyond the present expiration date and made consistent with the timing of the balance of the act. In addition, other legislative changes should be enacted which would permit the Bureau of Indian Affairs to take full advantage of new funding authorities available under programs administered by the Office of Education.

SENATE SUBCOMMITTEE ON INDIAN EDUCATION

There was no official response from the Senate Education Subcommittee following the receipt of the Inter-departmental Report. On July 18, 1969, Senator Paul J. Fannin, a member of the Education Subcommittee, sent a letter to the Subcommittee Chairman, Senator Wayne Morse, soliciting the establishment of a special subcommittee on Indian education. A memorandum was attached which pointed out the abysmal educational status of the American Indian, and the relationship of this educational failure, to the extreme and desperate poverty of the Indian tribes, whose birth rate exceeded twice the national average. The memorandum indicated the general lack of information and data on the quality and effectiveness of education programs for Indians, and pointed out that although Congress had authorized a comprehensive study as far back as 1956, the study had not been funded.

The critical question raised was that of past and present educational practices of the BIA. The memorandum stated:

> By and large, Indian education has been administered in the Bureau of Indian Affairs by taking the children from their families at an early age to attend boarding schools, often hundreds of miles from home. How has this forced separation affected the Indian family? How has this separation affected the child's learning process? What has been the effect of segre-

> gating these children in the non-Indian communities? Are there alternatives? For example, would it be wiser to set up schools on the reservations, run and controlled by the Indians rather than the federal government? Can adult education be effectively combined with the education of the Indian child? [18]

In contrast to the BIA, the memorandum pointed to the innovative Rough Rock Demonstration School as the place to look for answers. It stated:

> * * * the school is organized independent of the government as a private, non-profit corporation * * * operated and controlled by the Indians. The example set by this unique school may help us find the pattern for future methods of Indian education.[19]

In August of 1967, the Senate Subcommittee on Indian Education was authorized by the Senate, with Senator Robert F. Kennedy as its first chairman. By November, professional staff had been hired, and on December 14 and 15, the Subcommittee held its first hearings in Washington, D.C. An important part of its mandate from the beginning was to evaluate the effectiveness of the BIA education program, and to search for new models and organizational alternatives. Was the BIA capable of carrying out the "new policy" called for by the White House Task Force Report and the Presidential Message on the American Indian? Could the BIA with a long history of excessive paternalism, maximize Indian participation and control? Could the BIA bring about a "model of excellence?" These were to be the central questions in the Subcommittee investigation.

In December, 1968, Senator Wayne Morse, Chairman of the Subcommittee on Indian Education, wrote to the Departments of HEW and Interior, asking them to comment on the implementation of recommendations of the May 1967 Inter-departental Report. The question was also asked, whether or not their position had changed in regard to the transfer of the BIA education function to the Office of Education.

Both of the reports indicated that some progress had been made, that some new initiatives had been undertaken, and that coordination between the two Departments had improved. Both reports indicated that their position had not changed in regard to the transfer of the education function to the Office of Education. The Secretary of HEW commented that:

> Until the American Indians can perceive significant and newly-added material benefit arising from transfer action, the experts will be convincing only themselves.

The response from the Secretary of Interior simply stated that:

> Indian education has made significant progress under the Bureau of Indian Affairs in the Interior Department, and we believe the Bureau should retain the education function at this time.

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[18] Hearings of Senate Subcommittee on Indian Education, United States Senate, Part I, 1968 pg. 9.

[19] *Ibid.*, pg. 9.

The Secretary of HEW indicated that his department had become more aware and attentive to Indian needs, and that this was reflected in the establishment of an Indian desk at the Secretarial level and in the Office of Education. The Secretary of Interior pointed out that the basic challenge was not the organizational location of the federal responsibility, but rather returning basic policy control to the local communities concerned. He states:

> We believe the President has indicated a direction for the transfer of Indian education; namely, the involvement of local Indian communities, and the transfer of school functions to them under the control of local school boards.

Careful examination of the status reports reveals that a number of important recommendations have not been accomplished and that others had run into problems. Most importantly, Mr. Carl Marberger had resigned because the recommendation pertaining to line control over the schools had not been implemented. He found it impossible to provide effective leadership under these circumstances, and left the BIA to become Commissioner of Education in the State of New Jersey. Dr. Charles Zellers, who became the new Assistant Commissioner of Education in BIA, has expressed similar deep frustration and concern. Without line control over the schools, effective educational leadership would continue to be crippled, and the most serious problems would go unresolved. Secondly, a thorough-going review of the personnel problems and staff policies and procedures of the education function of the Bureau, had not been accomplished. Serious personnel problems were evident throughout the educational activities of the Bureau of Indian Affairs. Teachers were still working on a 12-month year basis, and recruiting had only been slightly improved. Third, although the Bureau of Indian Affairs had been re-authorized under the Elementary and Secondary Education Act, Congressional resistance had prevented the BIA from being included in several other important pieces of educational legislation, and important objections had been raised in regard to appropriating funds for the BIA programs under Titles I, II, and III, of the Elementary and Secondary Education Act. Fourth, a review of the Vocational Education Programs in the Bureau had not been conducted, and the policies and practices in this area remained thoroughly confused and inadequate. Fifth, although a 'road study' had been conducted on the Navejo Reservation, little if any progress had been made in replacing boarding schools with community day schools. Sixth, although a new kindergarten program had been implemented in some BIA schools, serious problems had arisen over the quality of the programs and meaningful participation of Indian parents. Seven, although the first steps have been taken in the direction of providing some form of local control for Indian communities over the schools which their children attended, the basic issue of school boards had not been resolved, and in fact appeared to be blocked in the Solicitor's office of the Department of the Interior. The advisory school boards that had been set up appeared to be serving only a perfunctory and superficial function.

In summary, the basic problem had not changed, it had only been somewhat ameliorated. The intervening year and a half had not demonstrated that the Bureau would be capable of developing an exemplary program, or a "model school system." The Subcommittee hearings in the Spring of 1969 revealed that the fundamental problem of "bureaucratic malaise" still continued, and that other alternatives must be sought.

Two important studies focused on this problem and suggested alternatives in the Spring of 1969.

* * *

THE JOSEPHY STUDY [50]

In December of 1968, Mr. Alvin M. Josephy, Jr., was requested to prepare for the White House a study of the BIA with recommendations for reorganization, both internal and external. Mr. Josephy was an editor of the American Heritage Publishing Company, and the author of several important studies of the American Indian. In addition, he had been a member of the Indian Arts and Crafts Board of the Department of the Interior, and had played an important role in the establishment and support of the innovative Institute of American Indian Arts in Santa Fe, New Mexico. Mr. Josephy provides a thorough and extended analysis of the many attempts and recommendations for reform in the 1960's. Why had most of them failed?

One of the major reasons lies in what Mr. Josephy has called the "termination psychosis" of the Indian tribes. He defines this as "an almost ineradicable suspicion of the government's motives for every policy, program, or action concerning Indians." The depth and intensity of termination fears had been revealed in 1966 during the regional meetings, conducted by the Commissioner of BIA to discuss the new "Omnibus Bill." In 1967, these fears led to the unanimous opposition to "Omnibus Legislation" despite the fact that Indian tribes approved of some parts of the new legislation. In 1968, "termination fears" led to the rejection of the important proposals made by the White House Task Force Report, and caused the rejection of the proposed transfer of the BIA education function to the Office of Education. The conclusion drawn is that if organizational reform of the BIA is to be accomplished, "termination fears" must be allayed and Indian leaders must participate in deciding on the changes, and feel that the government is acting in good faith and in the Indians' best interests.

Mr. Josephy emphasizes that the fundamental problem does not lie with the Indians, but rather with the Federal government and its general failure both in terms of policy and administration. He cites a number of important factors which have resulted in the "bureaucratic malaise" and the failure to carry out meaningful reforms:

> 1. *Basic deficiencies of knowledge* about Indians among non-Indians who are responsible for policy formulation and the "management" of Indian Affairs. Indians have long complained about officials who listen to them but don't seem to understand them, resulting in actions and programs that are imposed by well-intentioned whites, but bear no relation to the realities of what a tribe, fashioned by a particular

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[50] "The American Indian and the Bureau of Indian Affairs—1969,"—A Study with recommendations prepared for the White House—February 11, 1969, pp. 9–12 (can be found in Subcommittee Hearings, Vol. VI—appendix).

history and culture, needed, desired, or could accept and carry out with success.

2. *A general lack of vision and historical perspective.* In the great mass of treaties, statutes, laws and regulations that have been built up during the long course of Federal-Indian relations, the non-Indian, either does not understand, or forgets certain basic truths about Indians that must never be forgotten:

—Indians have been here for thousands of years.

—This is their homeland.

—They evolved their own distinctive cultures, and did not share the points of view, attitudes, and thinking that came to the rest of the American population from Judeo-Christian, and Western Civilization legacies.

—Although the Indians were conquered militarily (and are the only portion of the American population that reflects that experience), they are confirming the lesson of history, namely, that no people has ever been coerced by another people into scuttling its own culture.

—Although acculturation and assimilation do occur, they occur only on the individual's own terms.

3. *Lack of self-government.* Indians are still governed, not entirely unlike colonial subjects, by strangers whom they neither elected or appointed, and who are not accountable to them. As late as 1934, the rule of the "governor" was absolute; since then, tribal counsels, like the legislatures of many modern colonies, have acquired authority over a broadening range of tribal affairs. But the "governor" is still present with the apparatus of management, and the powers of direction, influence, finances, and veto to use when and where they really count. A recent article, entitled "The Indian; the Forgotten American," published in the *Harvard Law Review*, in June 1968, summarizes the suffocating, bureaucratic paternalism that still exists. It states: "The BIA possesses final authority over most tribal actions as well as over many decisions made by Indians as individuals. BIA approval is required, for example, when a tribe enters into a contract, expends money, or amends its constitution. Although normal expectation in American society is that a private individual or a group may do anything unless it is specifically prohibited by the government, it might be said that the normal expectation on the reservation is that the Indians may not do anything unless it is specifically permitted by the government."

4. *Lack of understanding of the Indian experience and the Indian point of view.* From the standpoint of the Indian, the present is a continuation of an unbroken narrative of policies, programs, and promises, often abruptly changing, disorganizing, contradictory and unrealistic, and a people, many of whom still personally remembered, who gave promises and orders, and who sometimes worked for good, and sometimes for harm. The Indian point of view is a legacy of pacification, army, and missionary rule, punishments and repression, allotments, treaty sessions, and sacred promises,

laws and special rights acknowledged in return for land cessions, and orders given by the government in the 1920's, countermanded in the 1930's, countermanded again in the 1950's, and countermanded once more in the 1960's. The Indian point of view is conditioned by the knowledge of a "Mr. Smith" or a "Captain Jones" who came to the reservation as the agent of a President in the mid-19th century, and told the tribal leaders something that their descendents have kept alive from generation to generation. He will cover his reactions to a proposal with the ever-green memories of battles won or lost, of injuries and injustices, of land taken from his people by fraud, deceit and corruption, of lost hunting, fishing and water rights, and of zigzag policies of administrations that came to office, and then left.

5. *Inability to listen or accept Indian recommendations for change.* Indians had long asserted, but usually to deaf ears, that the individual tribes knew better than the government what kinds of programs they needed and wanted, and that if they could play decisive roles in the planning of such programs, they could, with technical and financial assistance, demonstrate an ability to learn quickly, to administer, and to execute them successfully. * * * This assertion was stated forcibly in a "Declaration of Indian Purpose" by some 420 Indian leaders of 67 tribes at a gathering in Chicago in June 1961, but * * * it received no serious recognition or encouragement from the Bureau of Indian Affairs. The Indians were deemed not to know what was best for them, and programs continued to be imposed. * * * Included in the "Declaration of Indian Purpose" was an important recommendation for reorganizing the Bureau of Indian Affairs. Additional recommendations of this type have been put forth at various different times during the 1960's by Indian groups, but none have been accepted or paid attention to.

Recognizing the serious and basic deficiencies in the administration of Indian Affairs, Mr. Josephy concludes that "the primary urgency in Indian Affairs facing the new Administration in 1969, is the reorganization of the present Bureau of Indian Affairs." He recommends the following: "This study recommends that a meaningful and determined reorganization of the administration of Indian Affairs, together with the providing of an effective administration pledged to go forward to the opportunities of tomorrow and not simply solve the problems of yesterday, can only be accomplished by moving the Bureau of Indian Affairs to the Executive Office of the Presidency, for the objectives of Indian Affairs in 1969 require nothing less than the priority, mandate, and visibility which the President himself can give them." Mr. Josephy adds that the terms of Bureau and Commissioner are outmoded, and should be changed.

Mr. Josephy supports his recommendation with the following arguments:

(1) Transfer of the Bureau to the Executive Office of the President would give it high visibility and a strong mandate for change and improved performance.

(2) Transfer of the Bureau to the Executive Office of the President would keep it intact while at the same time permitting a thorough-going reorganization.

(3) Transfer to the Executive Office of the President would probably be acceptable and perhaps even received enthusiastically by the Indians.

Other sub-optimal reorganization proposals are considered. If the Bureau of Indian Affairs must remain in the Department of Interior, provision must be made for a thorough-going reorganization along the lines proposed in his study. The reorganization would provide for radical decentralization of influence, power, and authority, to the tribes. primarily a contracting relationship between the Bureau of Indian Affairs and the tribes, and line authority over the schools by the Assistant Commissioner for Education in the Bureau of Indian Affairs. In addition, he recommends that the Bureau should definitely be elevated to the status of Assistant Secretary for Indian and Territorial Affairs, in the Department of the Interior. The Bureau's present location under the Assistant Secretary for Public Land Management is clearly unsatisfactory.

If the Bureau of Indian Affairs is to be transferred to the Department of Health, Education, and Welfare, "a deliberate and careful effort will have to be made to win the Indians' understanding and agreement. The fears of termination will have to be recognized, and the Indians will have to be persuaded that their concern, not alone about termination, but that they will be submerged and placed in a disadvantageously competitive position for services with non-Indians who greatly outnumber them, is generally groundless." If the BIA is to be transferred to HEW, it should be transferred to a single new agency under an Assistant Secretary or at a minimum, an Administrator for Indian Affairs in that Department. (This parallels the recommendation of the Presidential Task Force Report.)

The last option considered by Mr. Josephy is the creation of an independent agency or commission, not in the Executive Office of the President. He states:

> This would not have the impact or commitment which Indian Affairs truly requires in 1969, but it would extricate the Indians from old adversaries in Congress and the Bureau of the Budget, would raise them from their present submerged position in a Department oriented toward non-Indian matters, and might place them in a better competitive position for government services for all Americans.

Mr. Josephy concludes with a strong admonition:

> Wherever the present Bureau of Indian Affairs is positioned within the Government, its structure must be thoroughly reorganized.

THE CARNEGIE REPORT [illegible]

In March, 1969, Mr. Francis McKinley and Dr. Glen Nimnicht testified before the Senate Subcommittee on Indian Education in regard to a research project which they had been conducting over the past year funded by the Carnegie Foundation. Mr. McKinley had developed a number of innovative educational programs, as a member

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[illegible] *Who Should Control Indian Education*, A Report Funded by the Carnegie Corporation and prepared by Francis McKinley, Stephen Bayne and Glen Nimnicht, reprinted in subcommittee hearings, pt. 2, 1969, appendix, p. 1599.

of the Ute Tribe in Utah, and had served as Director of the unique Indian Education Program at Arizona State University. Dr. Nimnicht was a nationally recognized expert in the field of "early childhood" education. Both were presently on the staff of the Far West Laboratory for Educational Research and Development in Berkeley, California.

On June 12, 1969, the Subcommittee received a draft of their final report to the Carnegie Foundation containing important findings and recommendations for improving education for American Indian students. The study was designed to be a field analysis of the education of Indian children at a representative sample of ten public and federal schools. The Study focused not only on the students and the school but also, more importantly, on the relationships between the school and the Indian community. The results of the survey study were to be used in the development of eight to ten demonstration schools, to test what might be accomplished when the Indian people have a major voice in setting education policy for the schools their children are attending. As the authors state:

> Among other things, it was expected that the curriculum of these 10 model schools would be modified to reflect local Indian history, culture, and values, and that noteworthy educational innovations would be introduced to raise the educational achievement level of the Indian students.

The authors point out that although the full study is not yet completed, that the data finally available will support the following conclusions:

> 1. The education provided Indian children is a failure when measured by any reasonable set of criteria. The educational system has not succeeded in providing a majority of Indian children with the minimum level of competence necessary to prepare them to be productive citizens in a larger society. Additionally, very little attempt has been made to perpetuate the values and culture that might be unique to the Indian people, provide them with a sense of pride in their own heritage, or confidence that they can effectively control their own future development. It should be noted that the fault for these inadequacies in education does not lie entirely within the school; the whole system of relationships between the white majority community and the Indians is the source of the problem. While the schools, both public and Bureau of Indian Affairs supported, are in great need of improvement in curriculum, methods, teacher training, teacher turnover, and in the teacher's understanding of the unique problems of the students and their parents, any increase in money, time, and effort spent on Indian education can only relieve some of the more important symptoms of the underlying problem. These efforts will be relatively ineffective unless the basic relationships between Indians and white people can also be altered, and, specifically, unless the paternalistic relation-

ship between the white power structure and the Indian community can be changed.

2. The crucial problem in the education of Indian children is the general relationship between white society and the Indian people. This relationship frequently demeans Indians, destroys their self-respect and self-confidence, develops or encourages apathy and a sense of alienation from the educational process, and deprives them of an opportunity to develop the ability and experience to control their own affairs through participation in effective local government.

In their report, the authors cite many examples of the complete breakdown of communication between school officials and the Indian community and between teachers and Indian children in the classroom. They arrive at the conclusion that meaningful Indian parental or community participation in either public or federal schools, simply doesn't exist.

Despite the fact that the Bureau of Indian Affairs is officially on record as encouraging and supporting control of schools by local Indian school boards, one still encounters the same old paternalistic attitudes. They cite an example of a BIA area director for education who told them, "We cannot allow a board of illiterates to run the schools," and another BIA official who told a group of Indian leaders, "The best thing you can do about education is to leave the decisions to us. The Bureau schools have been good for you—look where you are now!"

They examine in considerable detail, an effort to develop a community school with a local Indian school board on the Pine Ridge Reservation in South Dakota. Despite a tremendous amount of effort and involvement, a strong expression of support and interest, and considerable planning on the part of the Indian community, the effort was abortive due to lack of encouragement and support on the part of the Agency Superintendent, the Area Director, and ultimately the Commissioner of Indian Affairs. A variety of excuses were used for not supporting the project, and ultimately it became embroiled in tribal politics. However, with encouragement, support, and technical assistance on the part of BIA, the effort might have been successful.

The authors conclude that Indian control over their own schools is a difficult process and one that is likely to take a variety of different forms. Given the difficulty of the task, and the need for considerable imagination and flexibility from those providing technical support, it is highly unlikely that the Bureau of Indian Affairs will be able to carry out its mandate to bring about meaningful Indian control.

Despite the complexity of the task, important precedents do exist for Indian-controlled schools. They point to the extraordinary success of the Choctaw and Cherokee school systems which constituted two of the finest school systems west of the Mississippi at the turn of the century. For a more recent example, they point to the Rough Rock Demonstration School on the Navajo Reservation. In addition, they provide an interesting case study of a movement towards community control, of a small rural public school in North Central Oklahoma. The authors had assisted in conducting an action research project in the Ponca Indian community of White Eagle, located five miles from

Ponca City, Oklahoma. The White Eagle school, which was the focus of attention, had been considered a "blight on the community." Attendance was sporadic, achievement was far below state norms, and the drop-out rate by sixth grade was an incredible 87%. The school was attended exclusively by the Ponca Indian children. Though the effort was only partially successful and met with considerable resistance, there were a number of important accomplishments including the election of an Indian to the school board for the first time in twenty years.

Having made a strong case for the absolute necessity for Indian communities to be allowed to assume major responsibility for the education of their children, and the need for a new kind of organization to carry out this mandate, the authors conclude their report with the following recommendations:

Government

1. *We recommend the creation of a Federal Commission to assume control of Indian education, with an explicit mandate to transfer this control to Indian communities within five years, after which the Commission would cease to exist.*

The Commission would assume responsibility for the following: (a) expediting the transfer of control over education to Indian communities by providing legal services; (b) training Indian educators to administer and staff the schools; (c) providing consultant assistance to Indian school boards toward establishing and operating a local school system; (d) providing funds for revising curricula to reflect the history, culture, and values of the Indian people the school serves; and (e) serving as a conduit for Federal support funds, including Johnson-O'Malley funds.

The documentation which this report gives to a continuing history of paternalistic relationships between the Bureau of Indian Affairs and Indian communities provides a strong rationale for immediate implementation of a program to transfer quickly the control of education from the Bureau of Indian Affairs to Indian communities.

Three models now exist for such a transfer. The first model is the Rough Rock Demonstration School which is operated by Dine, Inc., a Navajo non-profit organization. The second model is the Blackwater School on the Gila River Pima Indian Reservation in Arizona where an all-Indian School Board of Education has assumed jurisdiction for a former BIA day school. A more recent model is the Tama Community School which will be operated by the Tama Indian Community beginning with the 1969–1970 school year. (The BIA had planned to close this school and to transfer the students to a nearby public school. The Mesquakie Indians of Tama Indian Community protested, and succeeded in getting a court order sustaining the school.)

We would add that the definition of "community" in the transfer process need not be a monolithic one. The Commission could conceivably transfer control to local groups such as Headstart parents advisory committees, tribal councils, or intertribal organizations such as the Arizona Indian Development Association or the California Indian Education Association.

We consider the following factors to be favorable to adoption of the specific method of control transfer which we have recommended above:

—The time limit is long enough to insure that the transfer of control will be orderly, and short enough to reassure the Indian people that the change will occur quickly.

—The limited life and purpose of the Commission will avoid the problem of replacing one vested interest bureaucracy with another.

—With adequate support for training administrators, teachers, and school board members, for revising curriculum, and for introducing educational innovations, the Federal Government can transfer the schools to local people in a manner that will greatly enhance the schools' chances for success.

—This proposal will not prevent mistakes from being made in the provision of education for Indian children. However, the mistakes will be made by the Indian people themselves, and not by a federal bureaucracy. Considering that our analysis has shown education for Indians to be largely a failure, we do not feel that the mistakes made by the Indian communities would make the situation any worse than it is now.

2. *We recommend that, in the interim until the Commission is initiated, there be an alteration in the criteria used within the Bureau of Indian Affairs for making decisions about promotions and financial rewards.*

Rather than rewarding field personnel for accurate reporting and tight administration as is now the general practice, rewards should be granted by the degree to which the recipient has: (a) successfully involved members of the Indian community in decision-making at the highest level; (b) transferred some of his responsibilities to Indians; (c) increased the number of Indians holding responsible positions; and (d) encouraged experimentation and innovation. If these criteria were applied to all aspects of the BIA's operations, the result should be an increase in the opportunity for local Indian people to govern their own affairs, at least to the extent that similar opportunities exist for non-Indian communities.

3. *In the interim until the Commission is formed, we recommend changes in the procedures of recruiting and selecting educational personnel within the Bureau of Indian Affairs.*

The standards of the education profession rather than those of the Civil Service should determine who shall teach Indian children. Currently, principals must accept a staff chosen by the Bureau Area Office from Civil Service registries, and thus find themselves often burdened by teachers poorly qualified and unadaptable to the special conditions inherent in teaching Indian children.

4. *In the interim, we recommend that a definite statement of goals and purposes be made for each of the boarding schools operated by the Bureau of Indian Affairs.*

The boarding schools have never been, and are not now, simply "high schools," although that is what they purport to be. We recommend that the boarding schools be converted to special purpose institutions such as terminal vocational centers, academic high schools, remedial and special education centers, junior colleges, special subject schools (such as the Santa Fe Institute of American Indian Art) or regional schools, rather than keep their confused and archaic status as mixed academic, remedial, and disciplinary institutions.

We wish to be perfectly clear and explicit that the above recommendations are *not* intended in any way to support "termination." We feel that Indian communities have the right to their present legal privileges and immunities for as long as they wish to perpetuate them, and that it is the responsibility of the Congress as well as of the Indian communities to see that these rights are protected.

APPENDIX B

Statistical Tables

TABLE 1.—ENROLLMENT AND AVERAGE DAILY ATTENDANCE (ALL AGES) BY TYPES OF SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968

Area	Grand total		Boarding		Day		Hospitals	
	Enrollment	ADA	Enrollment	ADA	Enrollment	ADA	Enrollment	ADA
Grand total	[1]51,558	45,003.5	35,309	30,9 1.3	16,139	14,003.3	110	28.9
Aberdeen	8,162	6,679.4	3,805	3,144.1	4,290	3,521.2	67	14.1
Albuquerque	2,371	2,096.9	1,004	872.4	1,324	1,209.7	43	14.8
Anadarko	3,152	2,589.6	3,152	2,589.6				
Billings	297	215.0	287	207.9	10	7.1		
Cherokee	1,047	879.3			1,047	879.3		
Juneau	6,793	6,109.8	905	845.8	5,888	5,264.0		
Miccosukee	44	39.8			44	39.8		
Minneapolis	58	55.5			58	55.5		
Muskogee	1,881	1,536.4	1,653	1,338.7	228	197.7		
Navajo	21,373	18,898.6	20,351	18,054.3	1,022	844.3		
Phoenix	5,465	5,009.1	3,276	3,061.5	2,189	1,947.6		
Portland	876	857.0	876	857.0				
Seminole	39	37.1			39	37.1		

[1] Federal facilities were provided for a total of 55,799 children, 4,204 of whom lived in Federal dormitories and attended public schools, and 37 of whom were enrolled in the Concho Demonstration School.

Source: Bureau of Indian Affairs, Indian education statistical summary (1968).

TABLE 2.—NUMBER OF SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, BY TYPE, FISCAL YEAR 1968

Area	Grand total [1]	Boarding total	Day			
			Total	Regular	Trailer	Hospitals
Grand total	226	77	149	145	2	2
Aberdeen	35	6	29	28		1
Albuquerque	15	3	12	11		1
Anadarko	6	[2]6				
Billings	2	1	1	1		
Cherokee	1		1	1		
Juneau	75	2	73	73		
Miccosukee	1		1	1		
Minneapolis	1		1	1		
Muskogee	9	5	4	4		
Navajo	56	47	9	7	2	
Phoenix	23	6	17	17		
Portland	1	1				
Seminole	1		1	1		

[1] The Bureau also operated 18 dormitories for children attending public schools.

[2] Includes 1 special school with a capacity of 44 which enrolled 41 pupils during the school year 1968. 4 of these pupils transferred to other Bureau schools and are reflected in the enrollment of those schools.

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TABLE 3.--BOARDING SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS—FISCAL YEAR 1968

Area State school and post office address; ZIP code	Enrollment			Average daily attendance			Grades
	Total	Boarding	Day	Total	Boarding	Day	
Grand total	35,309	31,759	3,550	30,971.3	28,016.5	2,954.8	
Aberdeen	3,805	2,370	1,435	3,144.1	1,943.9	1,200.2	
North Dakota	880	525	355	773.2	469.3	303.9	
Standing Rock, Fort Yates, N. Dak. 58538.	468	113	355	407.5	103.6	303.9	1-8
Wahpeton, Wahpeton, N. Dak. 58075	412	412	....	365.7	365.7	....	1-8
South Dakota	2,925	1,845	1,080	2,370.9	1,474.6	896.3	
Cheyenne-Eagle Butte, Eagle Butte, S. Dak. 57625.	866	379	487	838.8	368.2	470.6	1-12-S
Flandreau, Flandreau, S. Dak. 57028	643	643	....	493.9	493.9	....	9-12
Ogala community, Pine Ridge, S. Dak. 57770.	1,087	494	593	746.4	320.7	425.7	B-12-S
Pierre, Pierre, S. Dak. 57501	329	329	....	291.8	291.8	....	1-8
Albuquerque, N. Mex.	1,004	979	25	872.4	851.5	20.9	
Albuquerque, Albuquerque, N. Mex. 87100	570	570	....	505.6	505.6	....	7-12-S
Canoncito, Laguna, N. Mex. 87026	69	44	25	63.5	42.6	20.9	B-2
Institute of American Indian Arts, Santa Fe, N. Mex. 87501.	365	365	....	303.3	303.3	....	9-14
Anadarko, Kansas	3,152	3,152	....	2,589.6	2,589.6	....	
Haskell Institute, Lawrence, Kans. 66044	1,220	1,220	....	937.3	937.3	....	13-14
Oklahoma	1,932	1,932	....	1,652.3	1,652.3	....	
Cheyenne-Arapaho, Concho, Okla. 73022.	198	198	....	140.4	140.4	....	2-8
Chilocco, Chilocco, Okla. 74635	1,104	1,104	....	967.5	967.5	....	9-14
Fort Sill, Lawton, Okla. 73503	268	268	....	220.7	220.7	....	9-12
Riverside, Anadarko, Okla. 73005	362	362	....	323.7	323.7	....	Do.
Billings, Montana	287	95	192	207.9	65.3	142.6	
Busby, Busby, Mont. 59016	287	95	192	207.9	65.3	142.6	1-12
Juneau, Alaska	905	905	....	845.8	845.8	....	
Mt. Edgecumbe, Mt. Edgecumbe, Alaska 99835	673	673	....	635.0	635.0	....	9-12
Wrangell Institute, Wrangell, Alaska 99929	232	232	....	210.8	210.8	....	S
Muskogee	1,653	970	683	1,338.7	757.6	581.1	
Mississippi	956	273	683	824.8	243.7	581.1	
Bogue Chitto, Rt. 2, Philadelphia, Miss. 39350	172	35	137	130.5	16.4	114.1	1-6
Conehatta, Conehatta, Miss. 39057	179	39	140	176.2	37.9	138.3	1-8
Choctaw Central, Philadelphia, Miss. 39350	605	199	406	518.1	189.4	328.7	1-12
Oklahoma	697	697	....	513.9	513.9	....	
Seneca, Wyandotte, Okla. 74370	237	237	....	180.8	180.8	....	B-8
Sequoyah, Tahlequah, Okla. 74464	460	460	....	333.1	333.1	....	9-12
Navajo	20,351	19,257	1,094	18,054.3	17,155.6	898.7	
Arizona	10,751	9,841	910	9,555.8	8,804.4	751.4	
Chinle, Chinle, Ariz. 86503	986	986	....	851.5	851.5	....	B-7
Crystal, Fort Defiance, Ariz. 87504	152	138	14	147.5	134.0	13.5	B-5
Denehotso, Kayenta, Ariz. 86033	287	280	7	257.7	251.6	6.1	B-6
Dilcon, Winslow, Ariz. 86047	476	269	207	403.3	223.1	180.2	B-7
Greasewood, Ganado, Ariz. 86505	655	537	118	582.4	479.8	102.6	B-8
Hunters Point, St. Michaels, Ariz. 86511	181	181	....	174.1	174.1	....	B-5
Kaibeto, Lower, Tonalea, Airz. 86044	218	200	18	200.8	183.0	17.8	B-1
Kaibeto, Upper, Tonalea, Airz. 86044	487	420	67	406.0	351.9	54.1	2-8
Kayenta, Kayenta, Ariz. 86033	640	640	....	610.5	610.5	....	B-7
Kinlichee, Ganado, Ariz. 86505	212	212	....	180.2	180.2	....	B-5
Leupp, Leupp, Ariz. 86035	664	664	....	594.6	594.6	....	B-8
Low Mountain, Chinle, Ariz. 86503	121	54	67	93.6	46.0	47.6	B-2
Lukachukai, Lukachukai, Ariz. 86507	484	272	212	392.9	225.9	167.0	B-6
Many Farms, Chinle, Ariz. 86503	591	591	....	487.3	487.3	....	B-8
Naziini, Ganado, Ariz. 86505	135	135	....	109.2	109.2	....	B-5
Pine Springs, Houck, Ariz. 86506	43	42	1	36.8	35.8	1.0	B-1
Pinon, Pinon, Ariz. 86510	260	240	20	240.8	228.1	12.7	B-3

TABLE 3.—BOARDING SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS—FISCAL YEAR 1968—Cont.

Area State school and post office address, ZIP code	Enrollment			Average daily attendance			
	Total	Boarding	Day	Total	Boarding	Day	Grades
Rock Point, Chinle, Ariz. 86503	210	184	26	200.1	174.9	25.2	B-5
Rocky Ridge, Tuba City, Ariz. 86045	134	87	47	119.7	79.6	40.1	B-2
Seba Dalkai, Winslow, Ariz. 86047	122	122	....	119.8	119.8	....	B-3
Shonto, Tonalea, Ariz. 86044	768	768	....	688.3	688.3	....	B-8-S
Teecnospos, Teecnospos, Ariz. 86514	953	848	105	849.3	766.8	82.5	B-6-S
Toyei, Ganado, Ariz. 86505	681	681	....	608.2	608.2	....	B-7
Tuba City, Tuba City, Ariz. 85045	1,120	1,120	....	1,032.3	1,032.3	....	B-8
Wide Ruins, Chambers, Ariz. 86502	171	170	1	168.9	167.9	1.0	B-5
New Mexico	6,983	6,799	184	6,036.3	5,889.0	147.3	
Baca Previtt, N. Mex. 87045	51	51		49.2	49.2		B-1
Cheechilgeetho Gallup, N. Mex. 87301	92	87	5	89.8	85.2	4.6	B-2
Chuska, Tohatchi, N. Mex. 87325	635	635		555.7	555.7		B-8
Crownpoint, Crownpoint, N. Mex. 87313	1,050	1,050		857.4	857.4	....	4-8-S
Lake Valley, Crownpoint, N. Mex. 87313	119	112	7	106.5	99.8	6.7	B-4
Mariano Lake, Gallup, N. Mex. 87301	124	94	30	115.7	88.4	27.3	B-3
Nenahnezad, Fruitland, N. Mex. 87301	318	318		278.8	278.8		B-6
Pueblo Pintado, Crownpoint, N. Mex. 87313	212	197	15	187.1	176.5	10.6	B-4
Red Rock, Shiprock, N. Mex. 87420	98	67	31	79.0	53.9	25.1	B-2
Sanostee, Little Water, N. Mex. 87420	261	213	48	252.8	207.7	45.1	B-4
Shiprock, Shiprock, N. Mex. 87420	890	890		835.4	835.4		B-8
Standing Rock, Crownpoint, N. Mex. 87313	50	50		49.9	49.9		S
Thoreau, Thoreau, N. Mex. 87323	90	90		86.8	86.8		B-2
Toadlena, Toadlena, N. Mex. 87324	438	438		383.0	383.0		B-6-S
Tohatchi, Tohatchi, N. Mex. 87325	357	357		326.9	326.9		B-8
Torreon, Cuba, N. Mex. 87013	65	65		55.0	55.0	....	B-2
White Horse, Crownpoint, N. Mex. 87313	39	39		35.4	35.4		B-1
Wingate elementary, Fort Wingate, N. Mex. 87316	1,023	975	48	817.3	789.4	27.9	B-5-S
Wingate High, Fort Wingate, N. Mex. 87316	1,071	1,071		874.6	874.6		9 to 12
Utah	2,617	2,617		2,462.2	2,462.2		
Aneth, Aneth, Utah 84510	400	400		348.8	348.8		B-5-S
Intermountain, Brigham City, 84320	2,177	2,177		2,075.3	2,075.3		9-13-S
Navajo Mountain, Tuba City, Ariz. 86045	40	40		38.1	38.1	....	B-1
Phoenix	3,276	3,155	121	3,061.5	2,950.2	111.3	
Arizona	1,805	1,684	121	1,662.6	1,551.3	111.3	
Keams Canyon, Keams Canyon, Ariz. 86034	308	308		296.6	296.6		B-8
Phoenix Indian, Phoenix, Ariz. 85000	1,032	1,032		958.0	958.0		7-12
Santa Rosa, Sells, Ariz. 85634	192	71	121	180.7	69.4	111.3	B-7
Theodore Roosevelt, Fort Apache, Ariz. 85926	273	273		227.3	227.3		3-28
Nevada	655	655		629.4	629.4	....	
Stewart, Stewart, Nev. 89437	655	655		629.4	629.4		8-12-S
California	816	816		769.5	769.5		
Sherman Institute, Riverside, Calif. 92502	816	816	....	769.5	769.5	....	8-12
Portland, Oregon	876	876	....	857.0	857.0	....	
Chemawa, Chemawa, Oreg. 97822	876	876	....	857.0	857.0	....	9-12
SPECIAL BOARDING SCHOOL							
Anadarko							
Oklahoma, Concho demonstration, Concho, Okla. 93022							

TABLE 4.—DAY SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968

Area agency and State school	Post office address	Zip code	All ages Enrollment	All ages ADA	Grades
Grand total			16,139	14,003.3	
Aberdeen			4,290	3,521.2	
Cheyenne River, S. Dak			252	194.6	
Bridger	Howes, S. Dak	57748	35	19.2	1-6
Cherry Creek	Cherry Creek, S. Dak	57622	65	51.9	1-6
Promise	Mobridge, S. Dak	57601	21	18.7	1-6
Red Scaffold	Howes, S. Dak	57748	50	38.0	1-6
Swift Bird	Gettysburg, S. Dak	57442	35	24.5	1-5
White Horse	White Horse, S. Dak	57661	46	42.3	1-8
Fort Berthold, N. Dak			463	417.9	
Mandaree	Mandaree, N. Dak	58757	216	194.5	1-12
Twin Buttes	Halliday, N. Dak	58636	74	65.1	1-8
White Shield	Emmet, N. Dak	58534	173	158.3	1-12
Pierre S. Dak			332	289.1	
Fort Thompson Community	Fort Thompson, S. Dak	57339	237	204.8	1-8
Lower Brule	Lower Brule, S. Dak	57548	95	84.3	1-8
Pine Ridge, S. Dak			1,249	986.7	
Allen	Allen, S. Dak	57714	110	[illegible]	B-8
Little Wound	Kyle, S. Dak	57752	279	235.2	B-8
Loneman	Oglala, S. Dak	57764	257	188.6	B-8 S
Manderson	Manderson, S. Dak	57756	223	170.4	1-8
Porcupine	Porcupine, S. Dak	57772	206	163.0	B-8
Wanblee	Wanblee, S. Dak	57577	174	139.4	B-8
Sisseton, S. Dak			86	73.9	
Big Coulee	Peever, S. Dak	57257	10	9.2	1-3
Enemy Swim	Waubay, S. Dak	57273	32	29.4	1-6
Old Agency	Sisseton, S. Dak	57262	44	35.3	1-5
Standing Rock, N. Dak			202	172.5	
Bullhead	Bullhead, S. Dak	57621	95	83.1	1-6
Little Eagle	Little Eagle, S. Dak	57639	107	89.4	1-8
Turtle Mountain, N. Dak			1,706	1,386.5	
Dunseith	Dunseith, N. Dak	58329	92	77.2	1-5
Fort Totten	Fort Totten, N. Dak	58335	224	185.3	1-8
Great Walker	Belcourt, N. Dak	58316	53	43.5	1-6
Houle	do	58316	79	59.8	1-5
Roussin	do	58316	51	41.8	1-6
Turtle Mountain Community	do	58316	1,207	978.9	1-12
Albuquerque			1,324	1,209.7	
United Pueblos, N. Mex			1,324	1,209.7	
Acomita	San Fidel, N. Mex	87049	80	72.3	B-3
Isleta	Isleta, N. Mex	87022	219	209.0	B-6
Jemez	Jemez Pueblo, N. Mex	87024	65	63.4	B-6
Laguna	Laguna, N. Mex	87026	420	365.5	B-6
San Felipe	Algodones, N. Mex	87049	139	133.2	B-2
San Ildefonso	Santa Fe, N. Mex	87501	51	47.6	B-6
San Juan	San Juan, N. Mex	87566	51	49.3	B-6
Santa Clara	Espanola, N. Mex	87532	84	74.2	B-6
Taos Pueblo	Taos, N. Mex	87571	164	145.6	B-8
Tesuque	Santa Fe, N. Mex	87501	19	17.7	B-5
Zia	San Ysidro, N. Mex	87053	32	31.9	B-3
Billings			10	7.1	
Northern Cheyenne, Mont			10	7.1	
Birney	Birney, Mont	59012	10	7.1	1-3
Cherokee			1,047	879.3	
Cherokee, N.C			1,047	879.3	
Cherokee Central	Cherokee, N.C	28719	1,047	879.3	B-12

TABLE 4.—DAY SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968—Continued

Area agency and State school	Post office address	Zip code	All ages		Grades
			Enrollment	ADA	
Juneau			5,888	5,264.0	
Alaska			5,888	5,264.0	
Akiachak	Akiachak, Alaska	99551	74	69.5	B-6
Akiak	Akiak, Alaska	99552	55	44.1	B-8
Alakanuk	Alakanuk, Alaska	99554	107	90.1	B-8
Arctic Village	Arctic Village, Alaska	99722	24	19.8	B-8
Barrow	Barrow, Alaska	99723	597	519.3	B-9
Barter Island	Barter Island, Alaska	99747	37	34.9	B-7
Beaver	Beaver, Alaska	99724	30	28.0	B-8
Brevig Mission	Brevig Mission, Alaska	99785	39	36.4	B-8
Buckland	Buckland, Alaska	99727	32	30.2	B-8
Canyon Village	Canyon Village, Alaska	99740	20	13.0	B-8-S
Chalkyitsik	Chalkyitsik, Alaska	99790	25	24.5	B-7
Chevak	Chevak, Alaska	99563	141	129.5	B-8
Chifornak	Chifornak, Alaska	99561	50	46.2	B-8
Deering	Deering, Alaska	99736	26	24.2	B-8
Diomede	Diomede, Alaska	99762	26	23.4	B-8
Eek	Eek, Alaska	99578	55	49.8	B-8 S
Elim	Elim, Alaska	99739	44	41.1	1-8
Emmonak	Emmonak, Alaska	99581	118	112.5	B-8
Galena	Galena, Alaska	99741	100	89.2	B-8
Gambell	Gambell, Alaska	99742	102	92.0	B-8
Golovin	Golovin, Alaska	99762	27	25.4	B-6
Goodnews Bay	Goodnews Bay, Alaska	99589	55	50.3	B-8
Grayling	Grayling, Alaska	99590	43	42.5	B-7
Hooper Bay	Hooper Bay, Alaska	99604	206	190.4	S
Kalskag	Kalskag, Alaska	99607	65	50.5	B-8
Kaltag	Kaltag, Alaska	99748	67	63.7	B-8
Kasigluk	Kasigluk, Alaska	99609	81	75.4	B-8
Kiana	Kiana, Alaska	99749	91	82.6	B-8
Kipnuk	Kipnuk, Alaska	99614	90	87.0	B-8
Kivalina	Kivalina, Alaska	99750	50	41.9	B-8
Klukwan	Klukwan, Alaska	99831	21	20.1	B-8 S
Kotlik	Kotlik, Alaska	99620	65	61.4	B-8
Kotzebue	Kotzebue, Alaska	99752	520	461.0	B-10-S
Koyuk	Koyuk, Alaska	99753	44	41.4	B-8
Kwethluk	Kwethluk, Alaska	99621	117	106.2	B-8
Kwigillingok	Kwigillingok, Alaska	99622	93	69.1	B-8
Kwinhagak	Kwinhagak, Alaska	99655	67	65.1	B-7
Lower Kalskag	Lower Kalskag, Alaska	99626	51	47.4	B-8
Mekoryuk	Mekoryuk, Alaska	99630	98	93.9	B-8
Mountain Village	Mountain Village, Alaska	99632	104	99.0	B-8
Napakiak	Napakiak, Alaska	99634	68	67.1	B-8
Napaskiak	Napaskiak, Alaska	99635	52	50.5	B-8
Newtok	Newtok, Alaska	99636	48	42.9	B-8
Nightmute	Toksook Bay, Alaska	99637	43	33.8	B-8
Noatak	Noatak, Alaska	99761	79	68.7	B-8
Noorvik	Noorvik, Alaska	99763	138	125.4	B-8
Nunapitchuk	Nunapitchuk, Alaska	99641	131	123.2	B-8
Oscarville	Napaskiak, Alaska	99635	19	16.4	B-8
Pilot Station	Pilot Station, Alaska	99650	84	74.1	B-8
Point Hope	Point Hope, Alaska	99766	111	96.3	B-8
Rhoda Thomas	Birch Creek Alaska	99740	20	16.0	B-7
St. Michael	St. Michael, Alaska	99769	66	55.2	B-8
Savoonga	Savoonga, Alaska	99769	114	103.4	B-8
Scammon Bay	Scammon Bay, Alaska	99662	53	51.7	B-8
Selawik	Selawik, Alaska	99770	138	113.0	B-8
Shageluk	Shageluk, Alaska	99665	48	44.9	B-8
Shaktoolik	Shaktoolik, Alaska	99771	49	41.1	B-8
Sheldon Point	Sheldon Point, Alaska	99666	39	37.9	B-8
Shishmaref	Shishmaref, Alaska	99772	74	67.2	B-8
Shungnak	Shungnak, Alaska	99773	54	51.9	B-8
Sleetmute	Sleetmute, Alaska	99668	28	22.9	B-8
Stebbins	Stebbins, Alaska	99671	55	52.6	B-8
Stevens Village	Stevens Village, Alaska	99774	23	21.1	B-8
Tanunak	Tanunak, Alaska	99681	76	72.2	B-8
Tetlin	Tetlin, Alaska	99779	26	24.7	B-8
Toksook Bay	Toksook Bay, Alaska	99637	74	60.5	B-8
Tuluksak	Tuluksak, Alaska	99679	57	46.2	B-8
Tuntutuliak	Tuntutuliak, Alaska	99680	47	39.1	B-8
Unalakleet	Unalakleet, Alaska	99684	193	115.6	B-10
Venetie	Venetie, Alaska	99781	38	27.4	B-8
Wainwright	Wainwright, Alaska	99782	91	83.0	B-8
Wales	Wales, Alaska	99783	45	39.5	B-8
White Mountain	White Mountain, Alaska	99784	50	46.4	B-8
Miccosukee			44	39.8	
Miccosukee, Fla			44	39.8	
Miccosukee	Box 1369, Homestead, Fla	33030	44	39.8	S

TABLE 4.—DAY SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968—Continued

Area agency and State school	Post office address	Zip code	All ages		Grade
			Enrollment	ADA	
Minneapolis			58	55.5	
Sac and Fox, Iowa			58	55.5	
Sac and Fox	Tama, Iowa	52339	58	55.5	1-5
Muskogee			228	197.7	
Choctaw, Miss			228	197.7	
Chitimacha	Jeanerette, La	70544	27	22.7	1-6
Red Water	Carthage, Miss	30951	90	79.0	1-7
Standing Pine	Rt. 2 Walnut Grove, Miss	39189	66	53.1	1-6
Tucker	Philadelphia, Miss	39350	45	42.9	1-5
Navajo			1,022	844.3	
Regular day schools			834	703.7	
Arizona			501	411.5	
New Cottonwood	Chinle, Ariz	86503	337	265.3	B-5
Red Lake	Tonalea, Ariz	86044	164	146.2	B-5
New Mexico			333	292.2	
Beclabito	Shiprock, N. Mex	87420	62	56.6	B-4
Borrego Pass	Prewitt, N. Mex	87045	79	58.3	B-4
Bread Springs	Gallup, N. Mex	87301	49	47.7	B-4
Cove	Shiprock, N. Mex	87420	100	94.6	B-5
Jones Ranch	Gallup, N. Mex	87301	43	34.0	B-4
Trailer schools			188	140.6	
Chilchinbeto	Kayenta, Ariz	86033	112	90.6	B-4
Ojo Encino	Cuba, N. Mex	87013	76	50.0	B-3
Phoenix			2,189	1,947.6	
Colorado River, Ariz			26	24.6	
Supai	Supai, Ariz	86435	26	24.6	B-2
Fort Apache, Ariz			277	249.8	
Cibecue	Cibecue, Ariz	86431	224	202.6	B-8
John F. Kennedy	White River, Ariz	85941	53	47.2	B-3
Hopi, Ariz			878	783.2	
Hopi	Oraibi, Ariz	86039	240	213.4	B-8
Hotevilla	Hotevilla, Ariz	86030	100	91.3	B-6
Moencopi	Tuba City, Ariz	86045	88	77.4	1-4
Polacca	Polacca, Ariz	86042	181	165.1	1-6
Second Mesa	Second Mesa, Ariz	86043	269	236.0	B-6
Nevada, Nev			23	18.6	
Goshute	Ibapah, Utah	84034	23	18.6	B-6
Pago, Ariz			172	158.0	
Kerwo	Sells, Ariz	85634	48	42.0	B-6
Santa Rosa Ranch	do	85634	42	40.8	B-7-S
Vaya Chin	do	85634	82	75.2	B-6
Pima, Ariz			500	454.1	
Casa Blanca	Bapchule, Ariz	85221	129	121.8	1-4
Gila Crossing	Laveen, Ariz	85339	109	101.4	1-5
Pima Central	Sacaton, Ariz	85247	262	230.9	3-8
Salt River, Ariz			165	133.2	
Salt River	Scottsdale, Ariz	85251	165	133.2	1-6
San Carlos, Ariz			148	126.1	
San Carlos	San Carlos, Ariz	85550	148	126.1	1-4
Seminole			39	37.1	
Seminole, Fla			39	37.1	
Ahfachkee	Box 40, Clewiston, Fla	33440	39	37.1	B-4

TABLE 5.—DORMITORIES OPERATED BY THE BUREAU OF INDIAN AFFAIRS FOR CHILDREN ATTENDING PUBLIC SCHOOLS, FISCAL YEAR 1968

Area dormitory	Post office address	ZIP code	(All ages)		Grades
			Enrollment	ADA	
Grand total			4,204	3,515.2	
Aberdeen			375	231.9	
Rosebud	Mission, S. Dak	57555	375	231.9	B-12-S
Albuquerque			1,112	933.5	
Reservation dormitories			759	623.1	
Ignacio	Ignacio, Colo	81137	168	150.5	1-12
Jicarilla	Dulce, N. Mex	87528	162	156.0	1-12-S
Magdalena	Magdalena, N. Mex	87825	271	164.5	B-12
Ramah	Ramah, N. Mex	87321	158	152.1	1-10
Peripheral dormitory			353	310.4	
Albuquerque	Albuquerque, N. Mex	87100	353	310.4	1-12-S
Billings			185	156.9	
Blackfeet Boarding	Browning, Mont	59417	185	156.9	1-12
Muskogee			528	408.4	
Carter Seminary	Ardmore, Okla	73401	163	143.2	1-12
Eufaula	Eufaula, Okla	74432	79	43.0	B-12-S
Jones Academy	Hartshorne, Okla	74547	286	222.2	1-12
Navajo			2,004	1,784.5	
Reservation dormitory			100	69.3	
Huerfano	Bloomfield, N. Mex	87413	100	69.3	B-6
Peripheral dormitories			1,904	1,715.2	
Aztec	Aztec, N. Mex	87410	147	135.7	7-12
Flagstaff	Flagstaff, Ariz	86001	315	252.8	2-12
Holbrook	Holbrook, Ariz	86025	430	415.4	2-12
Manuelito Hall	Gallup, N. Mex	87301	511	446.7	2-12
Richfield	Richfield, Utah	84701	132	117.2	1-12
Snowflake	Snowflake, Ariz	85937	115	98.9	9-12
Winslow	Winslow, Ariz	86047	264	248.5	1-12

TABLE 6.—COMPLETIONS AND NUMBER OF GRADUATES OF SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968

Area	High school graduates	8th-grade completions	Certificate of completion, postgraduates
Grand total	2,041	2,480	403
Aberdeen	275	542	
Albuquerque	170	63	33
Anadarko	294	56	362
Billings	15	23	
Cherokee	27	69	
Juneau	152	469	
Miccosukee			
Minneapolis			
Muskogee	80	107	
Navajo	463	821	8
Phoenix	424	330	
Portland	141		
Seminole			

TABLE 7.—ENROLLMENT BY TRIBE IN SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968

	Grand total	Aberdeen	Albuquerque	Anadarko	Billings	Cherokee	Juneau	Miccosukee	Minneapolis	Muskogee	Navaho	Phoenix	Portland	Seminole
Grand total	[1] 51,588	8,162	2,371	3,152	297	1,047	6,793	44	58	1,881	21,373	5,465	876	39
Aleuts, Eskimos, and Indians [2]	7,940		12	377			6,793						758	
Apache	1,094	1	91	59								943		
Arapaho	114	38	1	72	1					2				
Assiniboine	74	46		26	1						1			
Blackfeet	129	44	5	74	6									
Cherokee	1,481	2	8	135		1,047				288	1			
Cheyenne	378	20	6	104	245					2	1			
Chickasaw	40		1	18						21				
Chippewa	1,827	1,765	13	44	4						1			
Choctaw	1,320		3	69						1,247	1			
Colville	107		12	93						2				
Creek	275		3	89						183				
Crow	182	85	5	90	1							1		
Goshute	47			1								46		
Havasupai	89											89		
Hopi	1,390		10	60							8	1,312		
Hualapai	81		1	6								74		
Kiowa	95			94						1				
Maricopa	47			2								45		
Miccosukee	45			1				44						
Mojave	66			5								61		
Navaho	23,591		545	671							21,344	913	118	
Omaha	80	72	1	7										
Paiute	99		1	30							1	67		
Papago	773		9	12								752		
Pima	1,042		7	25								1,010		
Ponca	63			60						3				
Potawatomi	45		1	44										
Pueblo	1,597	1	1,512	75								9		
Sac and Fox	87	3		23					58	3				
Seminole	126		1	29						57				39
Shoshone	133	35	3	67	3					1		24		
Sioux	5,441	5,312	28	77	13						11			
Three Affiliated Tribes [3]	744	687	5	48	4									
Ute	124		24	25								75		
Warm Springs	44			40								4		
Yakima	125		7	116	1							1		
All other tribes [4]	623	51	56	384	18					71	4	39		

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[1] Exclusive of enrollment of 37 at Concho Demonstration School and 4,204 living in Federal dormitories and attending public schools.

[2] Alaska natives.

[3] Includes Arikara, Gros Ventre, and Mandan Tribes of the Fort Berthold Reservation.

[4] Includes 64 tribes represented by 1 to 39 members.

APPENDIX III

Acknowledgements

Many individuals and organizations have been of substantial assistance in the work of the subcommittee and the preparation of this report.

The subcommittee wishes to express its appreciation to all of them. They include:

The members of the subcommittee staff: Mr. Brian E. Anderson, Mr. William M. Anderson, Mr. Robert Chernikoff, Mr. Philip S. DeLoria, Miss Karen R. Ducheneaux, Mr. Harold R. Finn, Mr. John L. Gray, Jr., Mr. Harold M. Gross, Mrs. Margo Higdon, Mr. Peter Hay, Miss Louise Lutkefedder, Miss Theresa McDonald, Mrs. Diana C. Middleton, Mr. Herschel Sahmaunt, Mrs. Judith S. Silverman, and Miss Marilyn Tabor. We wish to single out for our special appreciation Mr. Adrian Parmeter, who directed the work of the subcommittee for nearly 2 years.

Other Senate staff members: Mr. Robert O. Harris, staff director of the Committee on Labor and Public Welfare; John S. Forsyth, general counsel of the same committee; Mr. Roy H. Millenson, minority professional staff member of the same committee; Mr. Richard J. Spelts, legislative assistant to Senator Dominick; and K. Dun Gifford, legislative assistant to Senator Kennedy.

Others: Mr. Stephen A. Langone and Mrs. Mary T. Olguin of the Library of Congress; Mr. John Belindo of the National Congress of American Indians; and Mr. Peter Edelman, formerly legislative assistant to Senator Robert Kennedy and now associate director of the Robert F. Kennedy Memorial.

There are additional individuals and organizations whose work, counsel and suggestions helped us to shape the report. To them, as well as to those mentioned above, we extend our appreciation.

SUPPLEMENTAL VIEWS OF MESSRS. DOMINICK, MURPHY, SAXBE, AND SMITH

The undersigned minority members of the subcommittee gave support to the study and report, consistent with the historic sponsorship and support of constructive action in education on a bipartisan basis.

CONTRIBUTIONS OF THE MINORITY

We are particularly gratified to note that some earlier misunderstandings between the minority and majority have been dispelled and that in drafting this report full and fair consideration was given to proposals advanced by the minority. As a result, some important major recommendations by Republican members were included in the report as finally approved. These include—

(1) Recommendation No. 16, that there be established a National Indian Board of Indian Education with authority to set standards and criteria for Federal schools;

(2) Recommendation No. 17 that Indian boards of education be established at the local level for Federal Indian school districts;

(3) Recommendation No. 15 that the Commissioner of Indian Affairs be upgraded to Assistant Secretary and that the Bureau of Indian Affairs be upgraded accordingly;

(4) Recommendation No. 6 for the presentation to Congress of a comprehensive Indian act to meet the special needs of Indian children both in Federal and public schools, and to replace the present structure of fragmented and inadequate education legislation.

(5) Recommendation No. 12 for full funding for the National Council on Indian Opportunity;

(6) Recommendation No. 52 that Johnson-O'Malley funding should not be conditioned by presence of tax-exempt land;

(7) Recommendation No. 9 that the HEW Civil Rights Enforcement Office investigate discrimination against Indians in school receiving Federal funds;

(8) Recommendation No. 18 that Indian parental and community involvement be increased;

(9) Recommendation No. 20 that the Departments of Interior and Health, Education, and Welfare, together with the National Council on Indian Opportunity, devise a joint plan of action to develop a quality education program for Indian children;

(10) Recommendation No. 25 that BIA boarding school guidance and counseling programs be substantially expanded and improved;

(11) Recommendation No. 37 to strengthen title III (developing institutions) of the Higher Education Act to include recently created higher education institutions for Indians on or near reservations;

(12) Recommendation No. 38 to expand the Education Professions Development Act, the Higher Education Act, and the Vocational Education Act to include BIA schools and programs;

(13) Recommendation No. 58 that State and local communities should encourage and facilitate increased Indian involvement in the development and operation of education programs for Indian children;

(14) Recommendation No. 59 to appoint Indians to U.S. Office of Education advisory groups; and

(15) Recommendation No. 60 that the BIA should have the same responsibility to the U.S. Office of Education for set-aside funds under Federal grant-in-aid education programs as do the States for similar programs.

In addition, the minority was also responsible for minor and technical contributions to the report.

Finally, we take especial pride in the key role in the creation of the subcommittee played by Senator Paul Fannin, of Arizona, the subcommittee's ranking minority member during the 90th Congress. As the late Senator Robert F. Kennedy stated at the opening hearing on December 14, 1967:

> The stimulation for the establishment of this subcommittee came from my colleague, Senator Fannin, of the State of Arizona, who has always been interested in Indian education.

OPPOSITION TO RECOMMENDATION FOR SENATE SELECT COMMITTEE

While endorsing the greater part of the report, we do take exception to the recommendation that there be established a Senate Select Committee on the Human Needs of the American Indian.

A Senate select committee is not a legislative committee. It may only investigate and study and is not empowered to consider and report legislation. Thus, the recommended select committee would mean yet more additional studies of Indian problems. There is a surfeit of such studies

The Indian Education Subcommittee, over a period of more than 2 years, has produced six volumes of hearings and a volume of appendix, five committee prints, 14 consultant reports, and a final report. This comes to a total of approximately one page of study for every 35 school-age Indian children, aged 5 to 18.

In addition, the subcommittee is recommending that other studies be undertaken—by the White House Conference on American Indian Affairs and by the National Indian Board of Indian Education. However, these studies possess a significantly different dimension, for they will be studies conducted by Indians about Indian problems, whereas the select committee would be just another in a series of governmental study efforts dominated by non-Indians. By utilizing studies by Indians about Indians instead of surveys by government bodies or by non-Indian academicians, we will be making the transition from reliance on Indian experts, as at present, to a reliance upon expert Indians. The latter course seems the wisest and in the best tradition of government by the consent of the governed.

A PLEDGE

For too many years study after study and report after report have been issued looking toward improvement of the lot of our Indian citizens which, while resplendent with promise, have come to naught.

We stress realization over promise, especially as concerns what is perhaps the most important recommendation contributed by the Republican membership of the subcommittee; namely, a means to achieve the guidance by Indians themselves of the education of their own children through national and local Indian boards of education.

To achieve these goals, we pledge to work for realization of the recommendations contained in this report so that the education of Indian children shall be, in accord with the precepts set forth by President Abraham Lincoln, of, by, and for the Indian people.

PETER H. DOMINICK.
GEORGE MURPHY.
WILLIAM B. SAXBE.
RALPH T. SMITH.